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*International, Inc.*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered*  
*Persons, JANE DOE-1, a law enforcement*  
*officer, JANE DOE-2, a law enforcement*  
*officer, EDWIN MALDONADO, SCOTT*  
*MALONEY, JUSTYNA MALONEY,*  
*PATRICK COLLIGAN, PETER ANDREYEV,*  
and WILLIAM SULLIVAN,

Plaintiffs,

vs.

EPSILON DATA MANAGEMENT, LLC,  
CONVERSANT LLC, CITRUS AD  
INTERNATIONAL, INC., RICHARD ROES 1-  
10, *fictitious names of unknown individuals* and  
ABC COMPANIES 1-10, *fictitious names of*  
*unknown entities,*

Defendants.

Civil Action No. \_\_\_\_\_

Hon. \_\_\_\_\_

**NOTICE OF REMOVAL**

State Docket No. MON-L000533-24

(Document Electronically Filed)

**TO: CHIEF JUDGE, JUDGES, AND CLERK OF THE COURT**

**AND TO: PLAINTIFFS THROUGH THEIR COUNSEL OF RECORD**

**PLEASE TAKE NOTICE THAT** on March 25, 2024, based on the following allegations, each of Defendants Epsilon Data Management, LLC, Conversant LLC, and Citrus AD International, Inc. (collectively “Defendants”), did and hereby do remove this action from the Superior Court of New Jersey, Monmouth County, Docket No. MON-L000533-24, to the United States District Court for the District of New Jersey pursuant to 28 U.S.C. §§ 1332, 1441 and 1446 with full reservation of any and all defenses and objections, and each Defendant consents to the removal of this matter. *See Exhibit A.*

**D.N.J. LOCAL RULE 10.1 STATEMENT**

1. The plaintiffs in this action are Atlas Data Privacy Corporation, Jane Doe-1, Jane Doe-2, Edwin Maldonado, Scott Maloney, Justyna Maloney, Patrick Colligan, and Peter Andreyev. The registered office for Atlas Data Privacy Corporation is Five Greentree Centre, 525 Route 73, Suite 104, Marlton, New Jersey 08053. The Complaint states that Atlas Data Privacy Corp. has “offices at 201 Montgomery Street, Suite 263, Jersey City, New Jersey 07302.” The Complaint does not set forth the addresses of the named individual plaintiffs (Edwin Maldonado, Scott Maloney, Justyna Maloney, Patrick Colligan, Peter Andreyev, and William Sullivan) who, as is set forth in their Complaint, are law enforcement officers. Defendants Epsilon Data Management, LLC, Conversant LLC, and Citrus AD International, Inc. (collectively, “Defendants”), which are filing this Notice of Removal, are aware of the named individual Plaintiffs’ addresses in New Jersey but, given the allegations in the Complaint, namely Plaintiffs’ request, *inter alia*, that their addresses not be disclosed, Defendants do not include their addresses in these papers. Defendants are willing to provide the addresses of which they are aware for these individuals in a sealed filing

upon a request from the Court. The addresses of the two Jane Doe Plaintiffs were not included in the Complaint and are unknown to Defendants. Plaintiffs are represented by Rajiv D. Parikh, Esq., and Kathleen Barnett Einhorn, Esq., of Genova Burns LLC, 494 Broad Street, Newark, NJ 07102, John A. Yanchunis, Esq. of Morgan & Morgan, 201 N. Franklin St., 7th Floor, Tampa, FL 33602, and Mark Mao, Esq. of Boies Schiller Flexner LLP, 44 Montgomery St., 41st Floor, San Francisco, CA 94104.

2. Defendants Richard Roes 1-10 and ABC Companies 1-10 are fictitious names of unknown natural persons and entities. Defendants are not aware of the “street[s] and post office address[es]” of Richard Roes 1-10 or the principal places of business of ABC Companies 1-10. *See Local Civ. R. 10.1(a).*

3. The named Defendants in this action are Epsilon Data Management, LLC, Conversant LLC, and Citrus AD International, Inc., and are represented by Rachel Niewoehner and Katherine Sobiech of Harrison Law LLC, 141 West Jackson Boulevard, Suite 2055, Chicago, IL 60604 as well as Ross Lewin and Kevin DeMaio of Faegre, Drinker, Biddle & Reath LLP, 105 College Road East, P.O. Box 627 Princeton, New Jersey 08542. Epsilon Data Management, LLC is organized under the laws of the State of Delaware with its principal place of business at 6021 Connection Drive, Irving, TX 75039. Conversant LLC is organized under the laws of the State of Delaware with its principal place of business at 35 West Wacker Drive, Chicago, IL 60601. Citrus AD International, Inc. is incorporated in Delaware with its principal place of business at 200 Central Avenue, St. Petersburg, FL 33701.

**NOTICE OF REMOVAL IS TIMELY**

4. On or about February 8, 2024 Plaintiffs Atlas Data Privacy Corp. (“Atlas”), Jane Doe-1, Jane Doe-2, Edwin Madonado, Scott Maloney, Justyna Maloney, Patrick Colligan, Peter

Andreyev, and William Sullivan (the “Individual Plaintiffs”) (collectively, with Atlas, “Plaintiffs”) filed a civil action against Defendants in the Superior Court of New Jersey, Monmouth County, captioned Atlas Data Privacy Corp. et al. v. Epsilon Data Management LLC, et al., which was assigned Docket No. MON-L000533-24 (the “State Court Action”). A true and correct copy of the Complaint in the State Court Action is attached hereto as **Exhibit B**.

5. Conversant LLC (“Conversant”) received a Summons and Complaint in the State Court Action on or about February 22, 2024. A true copy of the Summons in the State Court Action and Notice of Service of Process is attached hereto as **Exhibit C**.

6. Epsilon Data Management, LLC (“Epsilon”) received a Summons and Complaint in the State Court Action on or about February 23, 2024. A true copy of the Summons in the State Court Action and Notice of Service of Process is attached hereto as **Exhibit D**.

7. Upon information and belief, Citrus AD International, Inc. (“Citrus”) has not been served.

8. Removal is timely pursuant to 28 U.S.C. § 1446(b) because this Notice is filed within thirty (30) days after service of the Complaint upon Conversant and Epsilon and prior to service on Citrus.

9. Pursuant to 28 U.S.C. § 1446(a), copies of the state court docket, as well as the filings on that docket, are attached hereto as **Exhibits E-J**.

10. Written notice of the filing of this Notice of Removal will be served upon Plaintiffs’ counsel as required by 28 U.S.C. § 1446(d).

11. A copy of this Notice of Removal is being served upon counsel for Plaintiffs and is being filed contemporaneously with the Clerk of the Superior Court of New Jersey, Monmouth County, as required by 28 U.S.C. 1446(d).

12. Venue is proper under 28 U.S.C. § 1441(a) because the Superior Court of New Jersey, Monmouth County is located within the district of the United States District Court for the District of New Jersey.

13. As is set forth in detail below, the Court has jurisdiction pursuant to 28 U.S.C. § 1332 because the true parties are completely diverse and the amount in controversy exceeds \$75,000, exclusive of interest and costs.

14. In the alternative, as set forth in detail below, the Court has jurisdiction pursuant to the Class Action Fairness Act (“CAFA”), 28 U.S.C. § 1332(d), 28 U.S.C. §§ 1441(a)-(b), and 28 U.S.C. § 1453, because this is a class action or, in the alternative, a “mass” action.

#### **DIVERSITY OF CITIZENSHIP**

#### **Defendants**

15. Conversant is a limited liability company organized under the laws of the State of Delaware with its principal place of business in Chicago, Illinois. Conversant’s sole member is Epsilon Data Management, LLC.

16. Epsilon is a limited liability company organized under the laws of the State of Delaware with its principal place of business in Irving, Texas. Epsilon’s sole member is MMS USA Holdings, Inc., which is incorporated in Delaware with its principal place of business in New York, New York. Thus, for the purposes of 28 U.S.C. §1332, Epsilon and Conversant are citizens of Delaware and New York. *See, e.g., Lincoln Ben. Life Co. v. AEI Life, LLC*, 800 F.3d 99, 105 (3d Cir. 2015) (for purposes of diversity jurisdiction, the citizenship of an LLC is determined by the citizenship of its members (quotation omitted)).

17. Citrus is incorporated in Delaware with its principal place of business in St. Petersburg, Florida. Thus, Citrus is a citizen of Delaware and Florida.

### **Individual Plaintiffs**

18. Plaintiffs assert that Plaintiff Officer Edwin Maldonado joined the Plainfield, New Jersey Police Department in 2000 and that he continued to commute to work as a Plainfield detective even after he moved from Plainfield. **Exhibit B** (Compl.) at ¶ 17. Upon information and belief, Officer Maldonado is a resident of New Jersey. *See* N.J.S.A. 40A:14-122.8 (“Every member of a police department and force shall be a resident of the State of New Jersey while serving in such position.”); N.J.S.A. 52:14-7(a)(3) (“Every person holding an office, employment, or position … (3) with a county, municipality, or other political subdivision of the State or an authority, board, body, agency, district, commission, or instrumentality of the county, municipality, or subdivision … shall have his or her principal residence in this State and shall execute such office, employment, or position.”).

19. Plaintiffs assert that Plaintiff Sergeant Scott Maloney is a veteran police officer currently serving with the Rahway, New Jersey Police Department and that Sergeant Maloney is a resident of New Jersey. *See* **Exhibit B** (Compl.) at ¶ 18.

20. Plaintiffs assert that Plaintiff Officer Justyna Maloney is a veteran police officer currently serving with the Rahway, New Jersey Police Department and that Officer Maloney is a resident of New Jersey. *Id.*

21. Plaintiffs assert that Plaintiff Detective Patrick Colligan is a 32-year veteran of the Franklin Township Police Department and the President of an organization comprised of “active law enforcement officers throughout the state.” *Id.* ¶ 22. Upon information and belief, Detective Colligan is a resident of New Jersey. *See* N.J.S.A. 40A:14-122.8; N.J.S.A. 52:14-7(a)(3).

22. Plaintiffs assert that Plaintiff Officer Peter Andreyev is a 32-year veteran of the Point Pleasant New Jersey Police Department and the Executive Vice President of an organization

comprised of “active law enforcement officers throughout the state.” **Exhibit B** (Compl.) at ¶ 23. Upon information and belief, Officer Andreyev is a resident of the State of New Jersey. *See*, N.J.S.A. 40A:14-122.8; N.J.S.A. 52:14-7(a)(3).

23. Plaintiffs assert that Plaintiff Officer William Sullivan “is an 18-year veteran of the New Jersey Department of Corrections”. **Exhibit B** (Compl.) at ¶ 24. Upon information and belief, Officer Sullivan is a resident of the State of New Jersey. *See*, N.J.S.A. 40A:14-122.8; N.J.S.A. 52:14-7(a)(3).

24. Plaintiffs assert that Plaintiff JANE DOE-1 is a veteran police officer working in Northern New Jersey. **Exhibit B** (Compl.) at ¶ 15. Upon information and belief, JANE DOE-1 is a resident of New Jersey. *See*, N.J.S.A. 40A:14-122.8; N.J.S.A. 52:14-7(a)(3).

25. Plaintiffs assert that Plaintiff JANE DOE-2 is a veteran correctional police officer who is a resident of New Jersey. **Exhibit B** (Compl.) at ¶ 16.

26. As such, all Individual Plaintiffs are citizens of New Jersey for diversity purposes, and there is complete diversity between them and Defendants.

#### **Atlas Data Privacy Corporation**

27. Atlas is the purported assignee of the rights of 19,251 individuals who are all allegedly “covered persons” under Daniel’s Law (the “Assignors”). *Id.* at ¶ 26.

28. The Assignors are alleged to be current or former judges, law enforcement officers, prosecutors and/or family members of same. *Id.*

29. Upon information and belief, the Assignors are residents of New Jersey.<sup>1</sup> *See*,

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<sup>1</sup> Atlas also asserts that the Assignors include persons who “had previously resided or worked in New Jersey.” *Id.* at ¶ 27. Defendants are not in possession of the assignments, but nothing in the Complaint suggests that any of the Assignors are citizens of Delaware, Florida, or New York, where Defendants are citizens.

N.J.S.A. 40A:14-122.8 (“Every member of a police department and force shall be a resident of the State of New Jersey while serving in such position.”); N.J.S.A. 52:14-7(a)(3) (“Every person holding an office, employment, or position … (3) with a county, municipality, or other political subdivision of the State or an authority, board, body, agency, district, commission, or instrumentality of the county, municipality, or subdivision … shall have his or her principal residence in this State and shall execute such office, employment, or position.”).

30. Atlas is a Delaware corporation, and, upon information and belief, its principal place of business is located in New Jersey. Therefore, for diversity purposes, Atlas is a citizen of Delaware and New Jersey.

31. Although Atlas’s presence would ordinarily eliminate diversity jurisdiction because Defendants are also citizens of Delaware, this Court may disregard the citizenship of Atlas, because it is not the real party in interest and, upon information and belief, the Assignors partially assigned their rights to Atlas for the purpose of improperly and/or collusively defeating diversity jurisdiction.

32. In *Kramer v. Caribbean Mills, Inc.*, the United States Supreme Court made clear that assignments, even when permissible under state law, may be disregarded for diversity purposes where they were “improperly or collusively” made to manipulate diversity jurisdiction. 394 U.S. 823, 825 (1969). Since then, the Supreme Court and Circuit and District Courts around the country have recognized that the “diversity jurisdiction statute [requires] courts in certain contexts to look behind the pleadings to ensure that parties are not improperly creating *or destroying diversity jurisdiction.*” *Mississippi ex rel. Hood v. AU Optronics Corp.*, 571 U.S. 161, 174 (2014) (emphasis added); *Grassi v. Ciba-Geigy, Ltd.*, 894 F.2d 181, 186 (5th Cir. 1990) (“Because of their similarity, assignments which destroy diversity and assignments which create

diversity should be analyzed under the same standard; that is, the issue of whether the assignment was improperly or collusively made is to be resolved as a simple question of fact.” (citation omitted); *Attorneys Tr. v. Videotape Computer Products, Inc.*, 93 F.3d 593, 597 (9th Cir. 1996) (“There has been much less case law on the question of assignments which destroy jurisdiction. Of course, assignments of that kind are not specifically covered by 28 U.S.C. § 1339. However, what modern authority there is also focuses on the reality of the transaction.”); *Carter v. Seaboard Coast Line R. Co.*, 318 F. Supp. 368, 372 (D.S.C. 1970) (“It is accordingly, the right of this Court, when the issue of federal jurisdiction is raised, to inquire into the purpose and character of an assignment, which either creates or defeats federal jurisdiction.”); *E. I. Du Pont de Nemours & Co. v. Agfa NV*, 2:18CV326, 2019 WL 279989, at \*9 (E.D. Va. Jan. 22, 2019) (“Most cases that have considered this narrow question have determined that a collusive transfer to defeat subject matter jurisdiction may be held invalid.” (collecting cases)); *JMTR Enterprises, L.L.C. v. Duchin*, 42 F. Supp. 2d 87, 93 (D. Mass. 1999); *Picquet v. Amoco Prod. Co.*, 513 F. Supp. 938, 940 (M.D. La. 1981).

33. Courts look to a number of factors in assessing whether an assignment has been “improperly” and/or “collusively” made, including whether (1) the motive for the assignment was to stay in state court; (2) the assignee had any interest in the litigation before the assignment; (3) the assignment was made shortly before the suit was filed; (4) the assignment was partial or complete; (5) the assignee paid consideration to the assignor; (6) the assignment represents what is essentially a contingent fee arrangement for collection work; and (7) there is a strong likelihood the defendant will be prejudiced by the assignment. *JMTR*, 42 F. Supp. 2d at 92 (citing *Grassi*, 894 F.2d at 186); *NPD Mgmt. & Bldg. Servs., Inc. v. Geismar N. Am., Inc.*, No. 20-cv-2739, 2021 WL 5231870, at \*4 (E.D. La. Nov. 10, 2021); *Picquet*, 513 F. Supp. at 943.

34. These factors weigh in favor of ignoring the assignments to Atlas by the individuals allegedly covered by Daniel's Law for purposes of diversity jurisdiction. Indeed, the timeline of events shows that Atlas is a *de facto* contingent fee/litigation finance vehicle formed solely to serve as a litigation tool for Daniel's Law claimants, Atlas's investors, and the lawyers representing Atlas at the Genova Burns, LLC and Morgan & Morgan law firms with a Delaware incorporation that serves to prevent non-resident defendants from protecting themselves from "local prejudice" by exercising their right of removal, *Grassi* 894 F.2d at 185.

35. As an initial matter, Atlas did not even exist when Daniel's Law was passed in November 2020, but it incorporated in Delaware – conveniently where most American companies are incorporated – just five months later. *See Exhibits K-L.*

36. Upon information and belief, in April 2023, Genova Burns registered as a lobbyist for Atlas in New Jersey, pushing for amendments to Daniel's Law to (i) allow covered persons to assign their interests to companies like Atlas to pursue claims in litigation; (ii) make the previously permissive damages provisions mandatory; and (iii) eliminate a requirement that Covered Persons receive approval from a New Jersey state official "for redaction or nondisclosure" of their addresses. *See Exhibits M-N.*

37. Daniel's Law was thereafter amended on July 20, 2023 on those three grounds, which overwhelmingly benefit entities like Atlas.<sup>2</sup>

38. Upon information and belief, after passage of amendments to Daniel's Law in July 2023, Atlas obtained partial assignments from covered persons for the purpose of initiating litigation against companies like Defendants.

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<sup>2</sup> The 2023 amendments also expanded the scope of Daniel's Law to include child protective investigators. *See, e.g.*, N.J.S.A. § 56:8-166.1(d) (defining "covered person" to include "an active, formerly active, or retired...child protective investigator").

39. On December 30, 2023, Atlas allegedly began sending its 19,251 Daniel's Law requests to Defendants, *see, Exhibit B* (Compl.) at ¶ 53, as part of a campaign to send millions of automated requests to more than 100 businesses on behalf of covered persons, with the apparent goal of overwhelming the recipients, making it practically impossible for them to process the requests in time. Yet Atlas did not even register to do business in New Jersey—a prerequisite for bringing suit in the state, *Seven Caesars, Inc. v. House*, No. A-4747-12T2, 2014 WL 4450441, at \*7-\*8 (N.J. Super. Ct. App. Div. Sept. 11, 2014)—until January 12, 2024. **Exhibit L**.

40. Less than a month after registering to do business in New Jersey, Atlas filed this lawsuit, with its lobbying firm signing on as Plaintiffs' counsel, together with another 129 suits—all similar to this one—seeking tens of millions of dollars in statutory damages. *See generally, Exhibit B* (Compl.).<sup>3</sup> It could not be clearer, based on the foregoing timeline, that the assignments to Atlas are part of a broader, well-coordinated litigation strategy designed by Plaintiffs' counsel and Atlas to monetize New Jersey's Daniel's Law for their benefit while defeating federal jurisdiction.

41. Courts in such situations do not hesitate to disregard an entity like Atlas's citizenship in assessing diversity jurisdiction. Prior to these assignments, Atlas – which is plainly not a covered person under Daniel's law (*see* N.J.S.A. § 56:8-166.1(d))<sup>4</sup> – had no interest in the

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<sup>3</sup> The 130 companies that Atlas has sued are listed in five consolidation motions filed by Atlas on March 12, 2024 in *Atlas Data Privacy Corporation, et al. v. Pipl, Inc.*, Case No. MON-L-000481-24 (Monmouth County, NJ); *Atlas Data Privacy Corporation, et al. v. New Jersey Property Records, LLC*, Case No. MID-L-000811-24 (Middlesex County, NJ); *Atlas Data Privacy Corporation, et al. v. Melissa Data Corp.*, Case No. MRS-L-000224-24 (Morris County, NJ); *Atlas Data Privacy Corporation, et al. v. Enformion, LLC*, Case No. BER-L- 000767-24 (Bergen County, NJ); *Atlas Data Privacy Corporation, et al. v. Whitepages, Inc.*, Case No. MER-L-000270-24 (Mercer County, NJ).

<sup>4</sup> Specifically, N.J.S.A. § 56:8-166.1(d) defines “Covered Person” as “an active, formerly active, or retired judicial officer, law enforcement officer, or child protective investigator in the Division of Child Protection and Permanency, as those terms are defined by section 1 of P.L.1995, c.23 (C.47:1A-1.1), or prosecutor, and any immediate family member residing in the same household as such judicial officer, law enforcement officer, child protective investigator in the Division of Child Protection and Permanency, or prosecutor.”

rights now assigned, and covered persons had the right to bring their own Daniel's law claims. Indeed, presently, Atlas has no claims of its own separate and apart from those of the Assignors.

42. The allegations of the Complaint demonstrate that Atlas is likely a *partial* assignee, with some rights (injunctive, financial, or otherwise) still held by the Assignors as the true claimants. *See Exhibit B* (Compl.), Prayer for Relief (requesting injunctive relief on behalf of covered persons). Atlas should not be permitted to use a partial assignment to manipulate and defeat diversity jurisdiction. *See, e.g., Attorneys Tr.*, 93 F.3d at 597 (courts are “sensitive to and concerned by manipulations of their jurisdiction with partial assignments which lack reality and amount to no change in the identity of the party with the real interest in the outcome of the case); see also NPD Mgmt., 2021 WL 5231870, at \*3 (“An assignment is complete where the transfer of a claim is absolute, *with the transferor retaining no interest in the subject matter.*” (emphasis in original) (quotation omitted)); *Cambridge Place Inv. Mgmt., Inc. v. Morgan Stanley & Co.*, 813 F. Supp. 2d 242, 244 (D. Mass. 2011) (“The Court must examine and disregard an assignment ‘if it be found to have been made principally to defeat removal.’” (quoting *JMTR*, 42 F. Supp. 2d at 92)).<sup>5</sup>

43. Upon information and belief, these assignments – much like assignments that courts across the country have found to be “improper” or “collusive” for the purpose of defeating diversity jurisdiction, even where, as here, expressly permitted under state law – are in essence partial assignments to collect a debt allegedly owed by virtue of Defendants’ purported noncompliance with Daniel’s Law. In other words, they are the sort of contingent fee arrangement

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<sup>5</sup> Even in the unlikely event that Atlas is a complete assignee, courts are now more inclined to look at and behind the pleadings to determine whether an assignee’s citizenship should be deemed collusive and disregarded in conducting the diversity analysis. *See, Attorneys Trust*, 93 F.3d at 600 (holding that courts “may look to all of the facts and circumstances and ask whether the assignment did destroy diversity jurisdiction.”).

for collection work that many courts have found to be improper and/or collusive for purposes of defeating diversity jurisdiction.

44. No assignment was necessary for Atlas to perform this function.

45. Thus, from the face of the pleadings and based on the applicable legal standard, this Court may ignore the assignments to Atlas for purposes of diversity jurisdiction. And, in the absence of Atlas, complete diversity of citizenship existed between the parties at the time Plaintiffs' Complaint was filed, and complete diversity of citizenship exists at the time of removal.

46. If the Court nevertheless still questions diversity of citizenship, it should – at a minimum, and before ruling on any motion to remand – order discovery of Atlas related to the factors relevant to the diversity analysis under *Grassi* and its progeny (such as the size of the interest assigned, whether the assignee had any interest in the matter before the assignment, whether the assignor and assignee had separate counsel, whether the assignee's attorney is controlling the litigation, the timing of the assignment, whether the assignment could be considered a sort of contingent fee arrangement, and whether there was a strong likelihood of prejudice against the defendant). *See, e.g., Cambridge Place Inv. Mgmt., Inc. v. Morgan Stanley & Co.*, 794 F. Supp. 2d 265, 268 (D. Mass. 2011) (permitting limited jurisdictional discovery into assignments alleged to be collusive in nature); *Hagenbaugh v. Nissan N.A.*, No. 3:20-1838, 2022 WL 676277, at \*4 (M.D. Pa. Mar. 7, 2022) (allowing a removing defendant take to jurisdictional discovery because the plaintiff challenged allegations in the notice of removal); *Mithril GP Emp. Feeder LLC v. McKellar*, No. 19-cv-2144-RGA, 2020 WL 3206555, at \*2 (D. Del. June 15, 2020) (similar).

47. Indeed, the default position in the Third Circuit is that “jurisdictional discovery should be allowed unless [a jurisdictional] claim is ‘clearly frivolous.’” *Qtech Servs., LLC v. Verition Fund Mgmt., LLC*, CIV.A. 2-10-CV-00495, 2010 WL 4961636, at \*2 (D.N.J. Nov. 30,

2010) (quoting *Mass. Sch. Of Law at Andover, Inc. v. Am. Bar Ass'n*, 107 F.3d 1026, 1042 (3d Cir. 1997)). Therefore, at a minimum, the Court should permit limited jurisdictional discovery into Atlas, if Atlas seeks to remand this case to the Superior Court in New Jersey.

#### **AMOUNT IN CONTROVERSY**

48. The second requirement of traditional diversity jurisdiction is that the amount in controversy exceed \$75,000. 28 U.S.C. § 1332(a). When the Plaintiffs' complaint, as here, "does not include a specific monetary demand, the removing defendant need only 'plausibl[y] alleg[e]' the amount in controversy." *Yucis v. Sears Outlet Stores, LLC*, 813 Fed. App'x 780, 782 n.2 (3d Cir. 2020) (quoting, *Dart Cherokee Basin Operating Co., LLC v. Owens*, 574 U.S. 81, 89 (2014)). And only a single plaintiff need satisfy the requirement, as the Court may exercise supplemental jurisdiction over any other plaintiffs, regardless of the value of their claims. *See Exxon Mobil Corp. v. Allapattah Services, Inc.*, 545 U.S. 546, 549 (2005) ("§ 1367 does authorize supplemental jurisdiction over the claims of other plaintiffs in the same Article III case or controversy, even if those claims are for less than the jurisdictional amount specified in the statute setting forth the requirements for diversity jurisdiction"); *see also Burgess v. Bennet*, No. 20-7103 (FLW), 2021 WL 1050313, at \*5 n. 9 (D.N.J. Mar. 19, 2021).

49. In this action, Plaintiffs seek to recover compensation based on Defendants' alleged failure to comply with Daniel's Law. *See Exhibit B* (Compl.), at ¶¶ 52, 63, Prayer for Relief ¶¶ B, C, D.

50. Plaintiffs allege that Daniel's Law requires the award, under N.J.S.A. 56:8-166.1(c), of the following damages: (1) actual damages, but not less than liquidated damages computed at the rate of \$1,000 for each violation of this act; (2) punitive damages upon proof of

willful or reckless disregard of the law; (3) reasonable attorney's fees and other litigation costs reasonably incurred. *Id.* at ¶ 52.

51. Whether the Court aggregates the claims of the Assignors to Atlas or considers the claims of each Individual Plaintiff and individual Assignor alone, the amount in controversy requirement is satisfied. With the Assignors' claims aggregated, Atlas seeks to recover, at a minimum, \$19,251,000 from each Defendant – far in excess of the \$75,000 threshold – not inclusive of Plaintiffs' request for punitive damages, attorneys' fees, and injunctive relief, all of which the Court may consider. But even if the Assignors' claims are not aggregated, the amount in controversy is satisfied because it is plausible that more than \$75,000 has been placed in controversy with respect to each Individual Plaintiff and individual Assignor.

52. As to actual damages, the Complaint purports to allege multiple violations by Defendants without limiting the alleged number of those purported violations. *See Exhibit B* (Compl.) ¶¶ 28-29 (alleging that in December Defendants were asked to cease “disclosing or re-disclosing on the Internet or otherwise making available for their protected information on one or more of Defendants’ websites, mailing lists or through other means of disclosure” and that they had not yet not done so over 30 days later, when the Complaint was filed). Plaintiffs further allege that each failure to cease disclosing information “constitutes a separate violation of law,” and that they are entitled to “\$1,000 for each violation.” *Id.* ¶ 62; Prayer for Relief. Therefore, without conceding that any such violations occurred or that Plaintiffs are entitled to the damages as alleged, Defendants allege that it is plausible that Plaintiffs are pursuing more than \$75,000 in actual damages.

53. As to punitive damages, those alone would clearly satisfy the amount in controversy requirement. Daniel's Law allows a Court to award “punitive damages upon proof of willful or

reckless disregard of the law.” N.J.S.A. 56:8-166.1c(2). And Plaintiffs have asked the Court to award such damages for “willful noncompliance.” **Exhibit B** (Compl.), Prayer for Relief.

54. N.J.S.A. 2A:15-5.14b establishes that defendants can be liable for punitive damages in amount up to “five times the liability of that defendant for compensatory damages or \$350,000, *whichever is greater.*” (Emphasis added). Thus, under New Jersey law, Plaintiffs have seemingly placed in controversy up to \$350,000 in punitive damages alone for each individual plaintiff. *See also Valenta v. BI Inc.*, No. 20-912, 2021 WL 7185785, at \*5 (W.D. Pa. Oct. 8, 2021) (“Because Plaintiff’s request for punitive damages is appropriately made, this is generally sufficient to satisfy the amount in controversy.”).

55. Even taking the more conservative 5x multiple for punitive damages, the amount in controversy would likely exceed the threshold. The Complaint alleges multiple violations by Defendants without limiting the alleged number of those alleged violations. Without conceding these allegations, Defendants note that it would only take 13 alleged violations during the 30-plus day period following Plaintiffs’ alleged requests to cease disclosing or redisclosing their information to exceed the jurisdictional threshold for punitive damages under Plaintiff’s allegations by using the more conservative 5x multiplier. Under these circumstances, the demand for punitive damages alone satisfies the amount in controversy “because it cannot be stated to a legal certainty that the value of the plaintiff’s claim is below the statutory minimum.” *Huber v. Taylor*, 532 F.3d 237, 244 (3d Cir. 2008) (emphasis and quotation omitted); *see also Quinones-Velazquez v. Maroulis*, 677 Fed. App’x 801, 804 (3d Cir. 2017) (vacating a district court decision on the grounds that the district court erred in finding that the plaintiff could not satisfy the amount in controversy because, even if the plaintiff’s compensatory damages were only \$8,350, the district

court failed to consider plaintiff's arguments that factors were present warranting a punitive damages award that could satisfy the amount in controversy).

56. As to attorneys' fees, and as referenced in Plaintiffs' complaint, N.J.S.A. 56:8-166.1(c)(3) provides for the award of attorneys' fees if successful on their claims. Plaintiffs' attorneys' fees could plausibly exceed the jurisdictional threshold in this case.

57. Finally, the Court can also take into account injunctive relief in determining the amount in controversy because Daniel's Law states that the Court may award "any other preliminary and equitable relief as the court determine to be appropriate." N.J.S.A. 56:8-166.1(c)(4). Plaintiffs ask the Court to enter "equitable or other permanent injunctive relief requiring Defendants to comply with Daniel's law, including the appointment of a qualified independent expert to ensure that Defendants prospectively maintain compliance with Daniel's Law." **Exhibit B** (Compl.), Prayer for Relief, ¶ F.

58. When a plaintiff in a diversity case seeks injunctive relief, the amount in controversy is determined by the "value of the object of the litigation." *Columbia Gas Transmission Corp. v. Tarbuck*, 62 F.3d 538, 541 (3d Cir. 1995) (quoting, *Hunt v. Washington Apple Advertising Comm'n*, 432 U.S. 333, 347 (1977)). In addressing the value of the requested injunctive relief, courts in the Third Circuit focus on the value to the plaintiff. *See, e.g., USAA Casualty Ins. Co. v. CIT Bank*, 2018 WL 3213324, at \*4 (D.N.J. May 15, 2018). Here, there are two aspects to valuing Plaintiffs' requested injunctive relief: (1) the cost of retaining an "independent expert to ensure that Defendants prospectively maintain compliance with Daniel's Law," and (2) the value of Defendants' ongoing compliance with Daniel's Law to the Plaintiffs.

59. The first part of Plaintiffs' requested injunctive relief is more concrete and likely is itself dispositive of the amount in controversy question, even if it were not paired with the

compensatory/statutory damages, punitive damages, and attorneys' fees already discussed above. The Complaint can plausibly be read as seeking the retention of an independent computer expert to analyze Defendants' data in perpetuity. This would be exceedingly expensive and would more than plausibly exceed the amount in controversy.

60. The second part of Plaintiffs' requested injunctive relief – ongoing compliance – is designed to ensure the safety and security of the assignors and individual plaintiffs to avoid the types of harm that Plaintiffs allege Daniel's Law was designed to address, such as death, death threats, and physical violence. The personal safety and security of an individual could be valued at more than \$75,000, and Plaintiffs have made no allegations suggesting otherwise. *See, e.g.*, *Calender v. NVR, Inc.*, No. 10-4277, 2011 WL 4593759, at \*1 n.2 (D.N.J. Sept. 30, 2011) (allegations of severe and permanent bodily injuries left "no reason to doubt" that the damages at issue "could exceed the minimum threshold").

61. Accordingly, although Defendants refute any liability and dispute Plaintiffs' entitlement to recover any of the amounts that are or may be sought in this action, Defendants plausibly allege here that any Plaintiff – whether Atlas, the Individual Plaintiffs, or the Assignors of Atlas – has an amount in controversy greater than \$75,000.

62. Because the parties are completely diverse and the amount in controversy exceeds \$75,000, removal is proper under 28 U.S.C. § 1332.

### **REMOVAL IS ALSO PROPER UNDER CAFA**

#### **The Class Action Requirements Under CAFA Are Met.**

63. Even though this Court has diversity jurisdiction for the reasons stated *supra*, removal of this action is also proper under the Class Action Fairness Act ("CAFA"). "CAFA confers on district courts 'original jurisdiction of any civil action' in which three requirements are

met: (1) an amount in controversy that exceeds \$5,000,000, as aggregated across all individual claims; (2) minimally diverse parties; and (3) that the class consist of at least 100 or more members ('numerosity requirement')." *Judon v. Travelers Prop. Cas. Co. of Am.*, 773 F.3d 495, 500 (3d Cir. 2014) (quoting 28 U.S.C. § 1332(d)(2), (5)(B), (6)). In addition, to be considered a "class action" under CAFA, the suit must be "filed under rule 23 of the Federal Rules of Civil Procedure or similar State statute or rule of judicial procedure authorizing an action to be brought by 1 or more representative persons as a class action[.]" 28 U.S.C. § 1332(d)(1)(B).

64. This suit satisfies all of CAFA's requirements for federal jurisdiction over a class action because (1) there is minimal diversity between the parties; (2) the aggregate amount-in-controversy exceeds \$5,000,000; (3) the putative class exceeds 100 members; and (4) the suit was filed under a state-law analogue to Rule 23.<sup>6</sup>

65. Minimal diversity is met, because, as noted above, the citizenship of the Individual Plaintiffs – all residents of New Jersey – is different from that of Defendants, which are citizens of Delaware, Texas, Illinois, and Florida for purposes of CAFA.<sup>7</sup>

66. The aggregate amount in controversy is likewise met by totaling – at a minimum – the liquidated damages under Daniel's Law of \$1,000 per violation for 19,251 Assignors plus the 8 Individual Plaintiffs, totaling \$19,259,000, assuming a single violation per individual. This is to say nothing of the claims for punitive damages, attorneys' fees, or request for injunctive relief as well as the fact that the Complaint purports to allege multiple violations by Defendants and does

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<sup>6</sup> In addition, none of the primary defendants "are States, State officials, or other governmental entities against whom the district court may be foreclosed from ordering relief." 28 U.S.C. §1332(d)(5)(A).

<sup>7</sup> CAFA provides that "an unincorporated association shall be deemed a citizen of the State where it has its principal place of business and the State under whose law it is organized." See 28 U.S.C. §1332(d)(10). Thus, for purposes of assessing CAFA's minimal diversity requirement, Epsilon is a citizen of Delaware and Texas and Conversant is a citizen of Delaware and Illinois.

not limit the alleged number of those purported violations.

67. The numerosity requirement is likewise met. As an initial matter, the fact that the Complaint alleges that 19,251 individuals assigned their claims to Atlas does not undermine numerosity. As discussed above, federal courts may disregard assignments made for the purpose of defeating removal. *Grassi*, 894 F.2d at 185. And removal under CAFA to adjudicate the claims of 19,251 individuals brought in the same suit alleging common issues would plainly be permissible and proper but for the fact that, after the successful lobbying campaign of Atlas through its lobbyist and current litigation counsel, the 19,251 Assignors whose claims are at issue here assigned their claims to Atlas. The formality of that assignment should not defeat federal jurisdiction, particularly given that it was likely designed for that precise purpose.<sup>8</sup>

68. In any event, putting aside the question of whether the assignments were improper or collusive, “the Third Circuit found that partial assignees can be counted as class members when evaluating whether a class meets Rule 23’s numerosity requirement.” *Winn-Dixie Stores, Inc. v. E. Mushroom Mktg. Coop.*, No. 06-0620, 2020 WL 5211035, at \*10 (E.D. Pa. Sept. 1, 2020) (citing *In re Modafinil Antitrust Litigation*, 837 F.3d 238, 251-52 (3d Cir. 2016)). And it is well-established that where a person assigns away only part of his claim, he remains a “real part[y] in interest” to litigation pursuing that claim. *Grassi*, 894 F.2d at 185 (“the assignor who makes a fractional assignment remains a party to the action”). Here, the proposed class consists of 19,259 members – Atlas as assignee for 19,251 Assignors plus the Individual Plaintiffs. Thus, the number

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<sup>8</sup> Other than the avoidance of federal jurisdiction, it is not clear that the assignment here offers any real benefit to the 19,251 Assignors. Rather, it appears to disadvantage them by allegedly enabling Atlas to pursue claims in an apparently representative capacity without affording the Assignors the protections – such as supervision of the adequacy of Atlas and its counsel and the reasonableness of any potential settlement of their claims – that they would have if those claims were pursued in a Rule 23 class action. That the 19,251 Assignors here appear to have given up significant procedural protections while apparently gaining nothing in return strongly suggests that the assignments were designed to defeat removal.

of proposed class members exceeds the 100 members necessary to satisfy the numerosity requirement for purposes of CAFA jurisdiction.

69. Lastly, while CAFA requires that the suit be filed under a state law analogue of Rule 23, the analogous state law need not be pled in the complaint to satisfy CAFA. That is because, if courts “interpreted ‘any civil action filed under Rule 23’ or a state-law analogue to refer only to cases that specifically mention Rule 23 or a state-law analogue,” then “a plaintiff could avoid federal jurisdiction for a lawsuit that resembles a class action in all respects simply by omitting from the complaint the name of the rule or statute under which she proceeds.” *Williams v. Employers Mutual Casualty Company*, 845 F.3d 891, 901 (8th Cir. 2017); *see also, Badeaux v. Goodell*, 358 F. Supp. 3d 562, 567 (E.D. La. 2019) (“A lawsuit resembling a class action will not escape CAFA jurisdiction simply because it omits the words ‘class action’ or does not include the state rule or statute under which it proceeds as a class action.” (citation omitted)). Accordingly, “[i]f a complaint does not satisfy CAFA’s jurisdictional requirements on its face, [courts] must cut through any pleading artifice to identify whether the case is in substance an interstate class action.” *Erie Insurance Exchange v. Erie Indemnity Company*, 68 F.4th 815, 819 (3d Cir. 2023).<sup>9</sup>

70. Here, the Complaint is “in substance a class action, . . . notwithstanding [Plaintiffs’] artificial attempt to disguise the true nature of the suit.” *Addison Automatics, Inc. v. Hartford Cas. Ins. Co.*, 731 F.3d 740, 742 (7th Cir. 2013) (denying remand under CAFA where plaintiff, an assignee of class rights, omitted reference to Rule 23 in the pleadings to avoid federal jurisdiction).

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<sup>9</sup> In *Erie Ins. Exch. v. Erie Indem. Co.*, 722 F.3d 154, 160 (3d Cir. 2013) (“*Erie I*”), the Third Circuit affirmed the remand of a case filed by an association that was not brought pursuant to a rule similar to Rule 23 and defendant had “not pointed to any rule that would even permit suit by an exchange through its members to be brought as a class action” under state law. But, unlike *Atlas*, the plaintiff in *Erie I* had been formed long before the litigation and was not merely a partial assignee of the rights of thousands of individuals in which it otherwise would have had no interest. And, as noted above, the Assignors’ claims could have been vindicated in a class action under Rule 23 or an equivalent rule under state law.

The Complaint alleges that Atlas is effectively asserting “the claims of 19,251 individuals.” **Exhibit B** (Compl.) at ¶ 26. The nature of the relief sought makes clear that Atlas asserts these claims in a representative capacity on behalf of those 19,251 individuals as all of the injunctive relief, by definition, could run only to the Assignors. *See id.*, Prayer for Relief at ¶ E (seeking an injunction protecting Plaintiffs’ and Assignors’ protected information from disclosure). This is further supported by Atlas’ subsequent filings in these matters. *See, e.g., Exhibit O* (Motion for Consolidation), at 1 (stating that the actions were “filed to enforce the rights of approximately 20,000 law enforcement officers under Daniel’s Law.”).<sup>10</sup>

71. Plaintiffs’ decision not to cite a Rule 23-analogue in the Complaint does not “disguise the true nature of the suit.” *Addison Auto.*, 731 F.3d at 742. Atlas can **only** bring this suit in its capacity as the apparent partial assignee for the claims of 19,251 assignors. In that capacity, Atlas purports to bring claims on behalf of 19,251 individuals (numerosity), alleges commonality among the claims, and purports to present this case as one in which joinder of nearly 20,000 is not impracticable or impossible.<sup>11</sup>

72. Further, although Plaintiffs do not cite any joinder rule, the Complaint does not demonstrate how Plaintiffs could join 19,251 claims in a single suit absent the class action mechanism.

73. Thus, all of the requirements for CAFA class action jurisdiction have been met.

### **The “Mass Action” Requirements Are Met.**

74. In the alternative, or in addition, to finding that this is a class action under CAFA, removal is proper because the instant case is a “mass action” under CAFA. Federal jurisdiction

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<sup>10</sup> As noted above, should the Court have any questions about the nature or effect of the assignments, it should allow Defendants to conduct jurisdictional discovery. *See pp. 12-13, supra.*

<sup>11</sup> Defendants do not concede that Plaintiffs have established any element of class certification.

exists under CAFA for a mass action that satisfies (1) the class action requirements of (a) minimal diversity and (b) the \$5,000,000 aggregate amount-in-controversy; (2) numerosity for a mass action; and (3) the \$75,000 amount-in-controversy requirement. 28 U.S.C. § 1332(d)(11)(B)(i). In short, “mass actions are deemed to be class actions removable under 28 U.S.C. § 1332(d)(2)–(10) if they otherwise meet the provisions of those paragraphs.” *Robert D. Mabe, Inc. v. OptumRX*, 43 F.4th 307, 319 (3d Cir. 2022).

75. All of these elements, including the \$75,000 individual amount-in-controversy requirement, are satisfied, as discussed at length *supra*.

76. Further, in this case, Atlas brings each claim for relief on behalf of 19,251 separate allegedly identified Assignors (**Exhibit B** (Compl.) at ¶ 56) along with eight additional Individual Plaintiffs (*id.* ¶¶ 15-24). Thus, this case does not involve one plaintiff suing on behalf of a group of unnamed individuals to assert collective rights. *Cf. Mississippi ex rel. Hood v. AU Optronics Corp.*, 571 U.S. 161 (2014) (involving *parens patriae* action brought by state attorney general on behalf of state’s citizens); *Erie Insurance Exchange, et al. v. Erie Indemnity Company*, 68 F.4th 815 (3d Cir. 2023) (involving unincorporated association bringing suit “to benefit all members of” the association); *see also Addison Auto.*, 731 F.3d at 744 (“*Parens patriae* suits are a special form of action brought by a state on behalf of its residents generally to protect a ‘quasi-sovereign interest’ belonging to the state.” (quotation omitted)).

77. More precisely, Atlas only has standing to sue (if at all) in its alleged capacity as the assignee for each individual Assignor. Because Atlas “steps into the shoes of” each Assignor in this suit (29 Williston on Contracts § 74:56), Atlas’s “right against” any Defendant is “subject to all defenses” that any Defendant may have had against any Assignor, including “defenses based on **where** and **how** the claims may be prosecuted.” *Winn-Dixie Stores*, No. 06-0620, 2020 WL

5211035, at \*11 (citing Restatement (First) of Contracts § 167(1) (1932)) (ellipses omitted; emphasis added). That Atlas did not name each of the 19,251 Assignors in the case caption does not change the fact that Atlas is not suing on its individual behalf but is entitled to bring each claim alleged in the Complaint only as the assignee for a corresponding and specific Assignor.

78. Thus, this Court may separately find that it has jurisdiction in the instant case as it is a “mass action” under CAFA.

**No CAFA Exceptions Apply.**

79. Finally, none of the exceptions to CAFA apply. CAFA provides two mandatory exceptions and one discretionary exception to the application of federal jurisdiction for class actions. 28 U.S.C. § 1332(d)(3)-(4). Each CAFA exception requires, as a starting point, an in-state defendant. *Id.* Because Defendants are, as shown above, citizens of Delaware, Illinois, Texas, and Florida, none of them is a New Jersey defendant. Therefore, none of the CAFA exceptions for class actions applies here.

80. Nor do any of the exceptions for federal jurisdiction over a “mass action” apply here. 28 U.S.C. § 1332(d)(11)(B)(ii).<sup>12</sup>

**WHEREFORE**, for the foregoing reasons, Defendants Epsilon Data Management, LLC, Conversant LLC, and Citrus AD International, Inc., respectfully request this Court to assume full

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<sup>12</sup> According to CAFA, mass actions do not include civil actions in which “(I) all of the claims in the action arise from an event or occurrence in the State in which the action was filed, and that allegedly resulted in injuries in that State or in States contiguous to that State; (II) the claims are joined upon motion of a defendant; (III) all of the claims in the action are asserted on behalf of the general public (and not on behalf of individual claimants or members of a purported class) pursuant to a State statute specifically authorizing such action; or (IV) the claims have been consolidated or coordinated solely for pretrial proceedings.” 28 U.S.C. § 1332(11)(b)(ii).

jurisdiction over this action as provided by law.

Dated: March 25, 2024

Respectfully submitted,

/s/ Ross A. Lewin

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*Epsilon Data Management, LLC,*  
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*Citrus Ad International, Inc*

**CERTIFICATION PURSUANT TO LOCAL CIVIL RULE 11.2**

I hereby certify that, to the best of my knowledge, the matter in controversy in the above-captioned action is not the subject of any other action pending in any court or the subject of a pending arbitration proceeding other than the state court action removed by this Notice: Case No. MON-L-000533-24 in the Superior Court of New Jersey, Law Division, Monmouth County.

Dated: March 25, 2024

/s/ Ross A. Lewin

**CERTIFICATE OF SERVICE**

I, Ross A. Lewin, hereby certify that on March 25, 2024, I caused a true and correct copy of the foregoing ***Notice of Removal*** to be electronically filed with the Clerk of the District Court using the CM/ECF system, and to be served upon the following counsel of record for Plaintiffs via email and Federal Express:

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Ross A. Lewin

# **Exhibit A**

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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

ATLAS DATA PRIVACY  
CORPORATION, *as assignee of*  
*individuals who are Covered Persons,*  
JANE DOE-1, *a law enforcement*  
*officer*, JANE DOE-2, *a law*  
*enforcement officer*, EDWIN  
MALDONADO, SCOTT MALONEY,  
JUSTYNA MALONEY, PATRICK  
COLLIGAN, PETER ANDREYEV,  
and WILLIAM SULLIVAN,

Plaintiffs,

vs.

EPSILON DATA MANAGEMENT,  
LLC, CONVERSANT LLC, CITRUS  
AD INTERNATIONAL, INC.,  
RICHARD ROES 1-10, *fictitious names*  
*of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of*  
*unknown entities*,

Defendants.

Case No.

**NOTICE AND CONFIRMATION OF  
CONSENT TO REMOVAL**

(Document Electronically Filed)

**PLEASE TAKE NOTICE** that the undersigned counsel for Defendants Epsilon Data Management, LLC, Conversant LLC, and Citrus Ad International, Inc. hereby expressly confirms that Defendants Epsilon Data Management, LLC, Conversant LLC, and Citrus Ad International, Inc. each consent to the removal of this matter.

Respectfully submitted,

Dated: March 25, 2024

/s/ Ross A. Lewin

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# **Exhibit B**

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ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, JANE DOE-1, a law enforcement officer, JANE DOE-2, a law enforcement officer, EDWIN MALDONADO, SCOTT MALONEY, JUSTYNA MALONEY, PATRICK COLLIGAN, PETER ANDREYEV, and WILLIAM SULLIVAN,*

Plaintiffs,

v.

EPSILON DATA MANAGEMENT, LLC,  
CONVERSANT LLC, CITRUS AD  
INTERNATIONAL, INC., RICHARD ROES  
1-10, *fictitious names of unknown individuals*  
and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

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SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH COUNTY  
DOCKET NO.: MON-L-\_\_\_\_\_ -24

**CIVIL ACTION**

**COMPLAINT**

Plaintiffs Atlas Data Privacy Corporation (“Atlas”) as the assignee of individuals who are Covered Persons under Daniel’s Law along with Jane Doe-1 (a law enforcement officer), Jane Doe-2 (a law enforcement officer), Edwin Maldonado, Scott Maloney, Justyna Maloney, Patrick

Colligan, Peter Andreyev, and William Sullivan (collectively, “Plaintiffs”), by and through their undersigned counsel, hereby submit this Complaint against Defendants and state as follows:

### **INTRODUCTION**

1. In these tumultuous times, it is critical that the most sensitive personal information of those who serve the public be protected from unwarranted disclosure. As set forth below, Daniel’s Law was passed unanimously by our Legislature to provide judges, law enforcement officers, and prosecutors – and their families – with the right to prevent the disclosure of their home addresses and unpublished home telephone numbers, and to enforce those rights against uncooperative profit-seeking data brokers.

2. This complaint seeks to protect those important rights, against companies brokering data and choosing profit and personal gain over a critical public interest and the unequivocal mandate of the law. Companies in the business of disclosing this protected information have avoided accountability for far too long, proffering such information, including home addresses and unpublished home telephone numbers, without sufficient regard for the risks and consequences imposed upon individuals who serve critical judicial and law enforcement roles.

3. The Legislature and Governor unanimously agree that the basic safety of those who serve – and their families – must be assured. Here, not only do the data brokers wantonly and repeatedly disregard the law, but they also demonstrate a callousness towards the well-being of those who serve. Our judges, law enforcement officers and prosecutors should receive the full measure of protection afforded to them under the same laws they enforce for the safety of all citizens.

4. With this action, Plaintiffs seek to enforce the important rights granted to judges, law enforcement officers, and prosecutors under Daniel’s Law. Consistent with the statutory provisions, Atlas brings this action as an assignee for certain individuals, including many family

members of law enforcement officers and prosecutors. Plaintiffs seek all available injunctive relief and statutory damages, including to prevent any further disclosure by Defendants of information in violation of Daniel's Law.

## **BACKGROUND**

### **Passage of Daniel's Law in New Jersey**

5. In July 2020, Daniel Anderl, the son of a New Jersey federal Judge, was shot dead by a gunman posing as a FedEx delivery man at the front door of the family's New Jersey home. Daniel, who was just age 20 and a rising junior in college, and who aspired to practice law like his parents, took a bullet to his chest trying to protect his parents. By the time his mother, a Judge, came to the door to check on what happened, the killer was gone. But her husband was critically wounded, and Daniel tragically died from the gunshot.

6. During the investigation, the perpetrator was found to have certain political and personal grievances against the Judge, and went to their home that day intending to kill her. Instead, he murdered the Judge's son and almost succeeded in killing her husband as well. Investigators eventually connected this attack with another shooting of an attorney in California, who was similarly mortally gunned down answering the door to his residence to pick up a supposed package from the same disguised gunman. Authorities concluded that the shooter was disgruntled over certain legal cases with similar political and legal issues to what was pending before Daniel's mother.

7. Critically, the gunman was able to find the home addresses of both of his murder victims through the various people finder resources available on the internet,<sup>1</sup> the same kind of data broker services at issue in this case.

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<sup>1</sup> <https://www.cbsnews.com/news/esther-salas-son-murder-roy-den-hollander-48-hours/>.

**New Jersey Passes Daniel's Law in 2020**

8. In response to the shooting of Daniel, New Jersey enacted Daniel's Law within a few months, in November 2020 (P.L. 2020, c. 125 *codified in N.J.S.A. 47:1A-1, et seq.* and *N.J.S.A. 56:8-166.1*), which prohibits online data brokers from selling, publishing, and distributing the name and address of current and former judges, law enforcement officers, and prosecutors and their eligible family members (i.e., "covered persons"), upon any written request by the covered person. Law enforcement personnel are expressly covered by the statute, in full recognition that the public service they provide is no less dangerous or important than those of Judges and prosecutors.

9. Any such covered person may request that a data broker not "disclose or re-disclose on the Internet or otherwise make available" their home addresses or unpublished home telephone numbers. Disclosure is defined to mean to "solicit, sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, post, publish, distribute, circulate, disseminate, present, exhibit, advertise, or offer, and shall include making available or viewable within a searchable list or database, regardless of whether a search of such list or database is actually performed." Data brokers must cease disclosure of this protected information within 10 business days of receiving a nondisclosure request from a covered person.

**Congress Passes Daniel Anderl Judicial Security and Privacy Act in 2022**

10. Similar to the actions taken by the State of New Jersey, federal judges such as U.S. Supreme Court Chief Justice John G. Roberts Jr. proposed and supported a federal version of Daniel's Law. The Chief Justice was quoted stating, "[t]he law requires every judge to swear an

oath to perform his or her work without fear or favor, but we must support judges by ensuring their safety ... [a] judicial system cannot and should not live in fear.”<sup>2</sup>

11. The federal bill, which had broad bipartisan support in both the House and Senate, protected judges’ personally identifiable information from resale by data brokers. It allowed federal judges to redact their personal information displayed on federal government internet sites.

12. The U.S. Senate voted 83-11 to pass the annual defense authorization bill, with the Daniel Anderl Judicial Security and Privacy Act attached,<sup>3</sup> and it was signed by President Biden.<sup>4</sup>

### **Violence Against Police Officers and Judges Has Not Stopped**

13. Judges, law enforcement officers, and prosecutors put their lives on the line every day, which is clearly exhibited by numerous horrific stories of violence beyond the story of the murder of Daniel Anderl. For example, in 2020, three shooters openly fired upon the Camden home of two New Jersey police officers and their 10-day old infant. That the officers were constantly involved in the community doing good afforded them no safety from the perpetrators.<sup>5</sup>

14. More recently, another perpetrator hunted and killed in cold blood a Maryland Judge, after a child custody ruling.<sup>6</sup> The killing followed that of a Wisconsin Judge in 2022, where the perpetrator killed the retired Judge out of spite for his handling of a criminal case in 2005.<sup>7</sup>

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<sup>2</sup> <https://www.washingtonpost.com/politics/2022/12/31/supreme-court-roberts-leak-report/>.

<sup>3</sup> <https://www.uscourts.gov/news/2022/12/16/congress-passes-daniel-anderl-judicial-security-and-privacy-act>.

<sup>4</sup> <https://www.nj.com/politics/2022/12/biden-signs-defense-policy-bill-that-remembers-3-new-jerseyans.html>.

<sup>5</sup> [Shooters Open Fire On Home Of New Jersey Police Officers In ‘Targeted Attack,’ Chief Says \(forbes.com\)](https://www.forbes.com/sites/forbes/2020/12/01/shooters-open-fire-on-home-of-new-jersey-police-officers-in-targeted-attack-chief-says/).

<sup>6</sup> [Judge Andrew Wilkinson: Suspect still on the run after killing a judge at his home in a 'targeted attack' following a child custody ruling, sheriff says | CNN](https://www.cnn.com/2023/01/10/us/judge-andrew-wilkinson-killed-custody-ruling-sheriff/index.html).

<sup>7</sup> [Former Judge John Roemer was killed in his Wisconsin home in a targeted attack, officials say | CNN](https://www.cnn.com/2023/01/10/us/judge-john-roemer-killed-wisconsin/index.html).

## **THE PARTIES**

### **The Individual Plaintiffs**

15. Plaintiff JANE DOE-1, whose name has been anonymized for safety reasons, is a decorated veteran police officer working in Northern New Jersey. Between 2021 and 2022, Officer Doe-1 participated in a task force that targeted a major criminal organization operating in the state. Her efforts ultimately led to the arrest and prosecution of a member of the organization's leadership, an individual with an extensive criminal history including threats of violence. In the subsequent investigation, digital devices recovered from the organization's leadership were analyzed and photographs of Officer Doe-1's personal residence were identified. Officer Doe-1 lives in the home with her spouse and their young child. Evidence recovered in the investigation included night-time photography of the young child's bedroom and playroom windows, with the light on while the child was playing inside. Further investigation revealed that the criminal organization's leadership had hired a private investigator who searched online data broker websites to obtain the officer's home address. Having identified her home address, text messages confirmed that they had initiated surveillance and were tracking Officer Doe-1's movements to and from her home, immediately prior to the task force initiating arrests.

16. Plaintiff JANE DOE-2, whose name has been anonymized for safety reasons, is a veteran correctional police officer who lives in Northern New Jersey with her husband and two young children. Earlier in her career, Officer Doe-2 was the subject of a death threat from a hostile inmate. The inmate stated that they intended to kill Officer Doe-2, and further implied that they would rely upon a particular private investigator to track down Officer Doe-2's home address to facilitate the murder. This death threat was investigated and considered credible enough to result in a successful criminal prosecution. Part of Officer Doe-2's current duties include working in her

correctional facility's law library, where inmates have access to the Internet including online data broker websites and services. Recently Officer Doe-2 and her coworkers discovered a note left behind by an inmate which included the full name and home address of a young female member of the jail's administrative staff. The most effective ways to safeguard the security and privacy of their home addresses - for their own safety and that of their family members - is a frequent topic of discussion and concern among the correctional police officers working at Officer Doe-2's facility.

17. Plaintiff Officer EDWIN MALDONADO joined the Plainfield, New Jersey police department as a patrol officer in 2000. After a few months on the job, he was assigned to street crimes, where he excelled at field work. In 2005, he became a Detective with Plainfield's major crimes unit and joined a Federal task force targeting the Mara Salvatrucha-13 (MS-13) gang in New Jersey. He worked with the task force for the next two years. During that time period, he received multiple credible death threats from MS-13 members. Detective Maldonado did not believe he would be able to safeguard his home address while living in Plainfield and relocated his family to a remote location from which he commuted to work. In 2009, because his relocation effort had been successful and MS-13 could not locate his new home address, gang members targeted Detective Maldonado's mother instead. They intended to burn down her building with her inside, but set fire to an adjacent building by mistake. Phone calls between MS-13 members discussing the premeditated murder of Detective Maldonado and his family, and the premeditated murder of Detective Maldonado's mother, were intercepted by jail wiretaps. Later in multiple criminal trials, evidence was entered into the record regarding these intercepted conversations and premeditated murders, contributing to numerous successful prosecutions.

18. Plaintiffs Sergeant SCOTT MALONEY (“Sergeant Maloney”) and Officer JUSTYNA MALONEY (“Officer Maloney”) are husband and wife, both veteran police officers currently serving with the Rahway, New Jersey Police Department. They live together in New Jersey with their two young children. In April of 2023, Officer Maloney responded to a routine call of a suspicious individual outside the Motor Vehicle Commission in Rahway. The individual was an online content creator who often solicits police contact and then films himself debating constitutional rights with the responding officers. A subset of the content creator’s audience is vocally anti-police and videos posted to his social media channel have historically been the source of harassment and intimidation campaigns directed at the officers involved. In this case, Officer Maloney and several other responding officers were filmed discussing a number of legal issues with the content creator, including whether or not the content creator was required to take his hands out of his pockets to show that he was unarmed. Overall, the encounter was routine and ended uneventfully.

19. The resulting video footage was selectively edited and posted to YouTube. Almost immediately upon the video being posted, Officer Maloney was targeted by followers of the channel and other individuals who viewed the video. Sergeant Maloney was quickly identified by viewers as Officer Maloney’s husband, and became a target himself, due to their relationship as a married couple and his own status as a police officer. Web links to data broker websites publicly disclosing the Maloney family’s home address and unpublished home telephone numbers were posted along with explicit death threats and calls for violence, resulting in dozens of threatening phone calls and text messages.

20. One of the text messages sent to Sergeant Maloney demanded money and stated that if Sergeant Maloney did not comply then his family would “pay in blood.” The unknown

messenger went on to state that they knew where the Maloneys lived and sent the full name and home address of one of the Maloneys' nearby relatives as proof of the messenger's ability to gather sensitive personal information. Sergeant Maloney refused to comply with any demands. He then received a video of three individuals in ski masks armed with handguns and assault rifles repeating the extortion demand. In part of the video, a masked individual points a rifle at the camera and tells Sergeant Maloney that his family is "going to get [their] heads cut off."

21. Several weeks later, one of the Maloneys' neighbors observed two suspicious looking individuals in ski masks parked one block away from the home and alerted police. Responding officers arrested two men - who were armed - for unlawful possession of a firearm. Video surveillance captured by nearby houses shows the two men circling the Maloneys' house immediately prior to their arrest. Officer Maloney and her two young children were at home at the time.

22. Plaintiff Detective PATRICK COLLIGAN is a 32-year veteran of the Franklin Township police department in Somerset, New Jersey. Since 2014, Detective Colligan has served as the President of the New Jersey State Policemen's Benevolent Association, representing more than 33,000 active law enforcement officers throughout the state. During the course of his law enforcement career, he has received numerous threats of violence targeted at him and his family as a result of his public service. The seriousness of certain threats necessitated the installation of a surveillance camera system and alarm system, and training for his spouse and children about how to respond in the event of an attack on their home.

23. Plaintiff Officer PETER ANDREYEV is a 32-year veteran of the Point Pleasant, New Jersey police department. Officer Andreyev currently services as the Executive Vice President of the New Jersey State Policemen's Benevolent Association, representing more than

33,000 active law enforcement officers throughout the state. During the course of his law enforcement career, he has received numerous threats of violence targeted at him and his family as a result of his public service. Officer Andreyev has counseled many other officers who have been the target of violent threats on ways to protect themselves and their family members from harm. whose protected information has been discovered and has responded to specific incidents where protected information was used by ex-inmates to threaten, harass, or intimidate fellow officers.

24. Plaintiff Officer WILLIAM SULLIVAN is an 18-year veteran of the New Jersey Department of Corrections. Since 2020, Officer Sullivan has served as the President of New Jersey PBA Local 105, the labor union representing thousands of correctional police officers from the New Jersey Department of Corrections, the Juvenile Justice Commission, and State Parole. During the course of his law enforcement career, he has received numerous threats of violence directed at him and his family as a result of his public service. Inmates incarcerated within New Jersey's state prisons frequently attempt to discover the protected information of correctional officers working in their facility. These attempts and the risks posed by such information being accessible on the Internet is a frequent topic of discussion and concern among correctional officers and their family members. Officer Sullivan has counseled many officers whose protected information has been discovered and has responded to specific incidents where protected information was used by ex-inmates to threaten, harass, or intimidate fellow officers.

**Plaintiff Atlas and its Assignors**

25. Plaintiff ATLAS DATA PRIVACY CORPORATION is a Delaware corporation, with offices at 201 Montgomery Street, Suite 263, Jersey City, New Jersey 07302.

26. As permitted under Daniel's Law, Atlas asserts claims against Defendants as the assignee of the claims of approximately 19,251 individuals who are all "covered persons" under Daniel's Law (together, the "Covered Persons"), including a significant number of individuals who are family members of judges, law enforcement officers, and prosecutors.

27. The Covered Persons include individuals who reside, work or had previously resided or worked in New Jersey, and qualify as "covered persons" as that term is defined under Daniel's Law, each of whom have claims against Defendants for failing to comply with Daniel's Law.

28. As set forth in more detail below, the Covered Persons (as well as the Individual Plaintiffs) each exercised their rights under Daniel's Law by sending Defendants a written notice requesting that Defendants cease disclosing or re-disclosing on the Internet or otherwise making available their protected information on one or more of Defendants' websites, mailing lists or through other methods of disclosure.

29. Defendants have not responded to these notices and, upon information and belief, have not complied with the law by ceasing the disclosure or re-disclosure on the Internet or the otherwise making available of protected information as required under Daniel's Law for each of the Covered Persons (as well as each of the Individual Plaintiffs) as required by the law.

30. In accordance with Daniel's Law, each of the Covered Persons has assigned their rights for claims thereunder against Defendants to Atlas.

31. Atlas provides an online platform, including an email service named AtlasMail, to law enforcement officers, prosecutors, judges, and other covered persons. Atlas works with and provides access to its platform to members of the New Jersey State Policemen's Benevolent Association, the Metropolitan Transportation Authority Police Benevolent Association, New

Jersey PBA Local 105, and the New Jersey State Troopers Fraternal Association, among others. The goal of these unions and associations, since the first passage of Daniel's Law in November 2020, was to increase the safety and well-being of their members and associated households by helping those members to understand and assert the rights provided to them by the law.

32. Upon signing up for Atlas, a law enforcement officer or other Covered Person is asked a series of questions to collect required personal information and qualify their eligibility as a Covered Person under Daniel's Law. Once eligibility is confirmed, they are shown a page explaining how the Atlas platform works:

## How Atlas Works

Daniel's Law allows you to send takedown notices to data brokers requesting that they not disclose or redisclose your home address or phone number. Atlas provides you with tools and services to help make the process more efficient.

- 1 **We identify data brokers that may be disclosing your personal information.** As of January 2024, our system tracks over 1,000 data brokers who operate in the United States.
- 2 **You select the data brokers to whom you want to send takedown notices.** We have lists of data brokers that we recommend, in order to make the selection process easier and more efficient. Alternatively, you can select recipients individually.
- 3 **You review takedown notice templates.** AtlasMail provides you with templates for takedown notice emails.
- 4 **You send takedown notices.** Your Atlas service includes an AtlasMail email address. You can use this email address to send takedown notices. More information about AtlasMail will be on the next screen.

[Back](#)

[Next](#)

33. AtlasMail is an email service operated by Atlas. Upon signing up with Atlas, each law enforcement officer or other Covered Person receives their own AtlasMail account, with a

unique inbox address (e.g. [john.doe23@atlasmail.com](mailto:john.doe23@atlasmail.com)) for their personal use. A description of AtlasMail and more information about how the email service works are provided on a page during the signup process:

## How AtlasMail Works

Daniel's Law allows you to send takedown notices to data brokers requesting that they not disclose or redisclose your sensitive personal information.

Atlas has created an email service, called **AtlasMail**, for its members to use for this purpose.

- ✓ Upon completing this signup process, a new email account will be created for your personal use. It will be:  
**[john.doe23@atlasmail.com](mailto:john.doe23@atlasmail.com)**
- ✓ You can access this email account from within the Atlas web application.
- ✓ This email account belongs to you and you can use it however you want, within certain anti-spam and similar limitations imposed by our terms of service.

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34. Having provided personal information, confirmed their eligibility for Daniel's Law, and progressed through several pages explaining the functions of Atlas as a platform and AtlasMail as an email service, the law enforcement officer or other Covered Person is then presented with a page on which they can review their home addresses and unpublished home telephone numbers, a takedown notice template, and a recommended list of data brokers to send notices to. On this page the law enforcement officer or other Covered Person can choose whether or not to send takedown notices. If they choose not to send takedown notices to the recommended list, they can select

individual recipients at a later page (as shown in the example copied below). Here, each of the Individual Plaintiffs and Covered Persons sent Defendants a takedown notice.

**Data Brokers Included** 5  Select All

 PEO	People Data Labs (peopledatalabs.com)	<input type="checkbox"/>
 PEO	People Finder Free (Peoplefinderfree.com)	<input checked="" type="checkbox"/>
 PEO	People Finders (peoplefinders.com)	<input checked="" type="checkbox"/>
 PEO	People Looker (peoplelooker.com)	<input checked="" type="checkbox"/>
 PEO	People Search (peoplesearch.com)	<input checked="" type="checkbox"/>
 PEO	People.ai (people.ai)	<input type="checkbox"/>
 PEO	Peoplebackgroundcheck (people-background-check.com)	<input checked="" type="checkbox"/>

**Cancel** **Save**

By selecting the personal information and data brokers above and clicking "Send Takedowns" below, you will be sending a large volume of takedown notices from your AtlasMail email address john.doe23@atlasmail.com

**Send Takedowns**

35. Any reply or response back from a data broker to the law enforcement officer or other Covered Person is received and displayed in their AtlasMail inbox. AtlasMail is a fully featured email service provider, and its users can reply, forward, or use their AtlasMail account as they would any other email account:

## AtlasMail

 Compose

 Search in Mail

 ALL MAIL

 INBOX

 SENT

 ASSIGNMENT CONFIRMATIONS

John Doe	Data Subject Request - Redaction/nondisclosure Request	11:40 PM
John Doe	Data Subject Request - Redaction/nondisclosure Request	11:39 PM
John Doe	Data Subject Request - Redaction/nondisclosure Request	11:39 PM
John Doe	Data Subject Request - Redaction/nondisclosure Request	8:29 PM
John Doe	Data Subject Request - Redaction/nondisclosure Request	8:29 PM
John Doe	Data Subject Request - Redaction/nondisclosure Request	8:29 PM
John Doe	Data Subject Request - Redaction/nondisclosure Request	Jan 3
John Doe	Data Subject Request - Redaction/nondisclosure Request	Jan 3
John Doe	Data Subject Request - Redaction/nondisclosure Request	Jan 3
John Doe	Data Subject Request - Redaction/nondisclosure Request	Jan 3

< 1 2 3 4 5 ... 16 >

## Redaction/Nondisclosure Request Confirmation

**To** john.doe23@atlasmail.com  
**From** privacy@exampledatabroker.com  
**Date** Fri, Jan 26, 2024 8:14 PM

Dear John,

Thank you for your redaction/nondisclosure request pursuant New Jersey law P.L. 2023, c.113, P.L.2021, c.371 (as amended, the "Act") and Section 3 of New Jersey P.L.2015, c.226 (C.56:8-166.1) (as amended, "Chapter 226"). We are writing to confirm that Example Data Broker Inc. will honor your request as required by the Act and Chapter 226.

Sincerely,

Example Data Broker Inc.

[Reply](#)

[Forward](#)

36. With this lawsuit, Atlas seeks to enforce compliance with Daniel's Law for those Covered Persons. This lawsuit seeks to protect their privacy without unnecessarily putting those individuals in the spotlight. Atlas will work with the Court and Defendants to implement a protective order to then provide Defendants with the assignments and other information for each of the Covered Persons.

### **Defendants**

37. Defendant Epsilon Data Management, LLC is an entity that discloses or re-discloses on the Internet or otherwise makes available the home addresses and/or unpublished home telephone numbers of covered persons.

38. Defendant Conversant LLC is an entity that discloses or re-discloses on the Internet or otherwise makes available the home addresses and/or unpublished home telephone numbers of covered persons.

39. Defendant Citrus Ad International, Inc. is an entity that discloses or re-discloses on the Internet or otherwise makes available the home addresses and/or unpublished home telephone numbers of covered persons.

40. Defendants Richard Roes 1-10 and ABC Companies 1-10 (collectively with the defendants identified above referred to as the “Defendants”) are fictitious names of currently unknown individuals/entities that were also involved with the violations described in this Complaint who have not yet been identified in part due to what appears to be intentional efforts by data brokers to conceal the specific entities involved and responsible for the disclosure of data and information, and individuals responsible for Defendants failures to comply with the law.

41. Defendants offer and engage in the disclosure of data and information through one or more websites, applications, or mailing lists, or otherwise in New Jersey, and to businesses and individuals who operate or reside in New Jersey. Those websites include:

epsilon.com

42. In accordance with Defendants’ business model, visitors, users, or customers may obtain a name and home address and/or a name and unpublished home telephone number (including the name and address and/or unpublished home telephone number of the Individual Plaintiffs and Covered Persons).

43. Daniel’s Law was passed to protect those who serve from the disclosure of this protected information by such services, which disclose such information of the Individual

Plaintiffs and Covered Persons for their own commercial interests, without sufficient regard to the risks and consequences imposed on individuals.

**JURISDICTION AND VENUE**

44. This Court has jurisdiction because the parties reside and/or conduct business in New Jersey, along with the Covered Persons, and the unlawful actions complained of herein occurred in New Jersey.

45. Venue is proper pursuant to R. 4:3-2, in that Monmouth County is the county in which one or more of the parties and/or Covered Persons reside and/or conduct business. In addition, many of the events giving rise to this action occurred in this County.

**FACTS COMMON TO ALL COUNTS**

46. As set forth above, New Jersey enacted Daniel's Law in November 2020 (P.L. 2020, c. 125 *codified as N.J.S.A. 47:1A-1, et seq. and N.J.S.A. 56:8-166.1*).

47. Daniel's Law prohibits data brokers from disclosing or re-disclosing on the Internet or otherwise making available the home addresses or unpublished home telephone numbers of covered persons as defined in the law, upon a written request by those individuals.

48. Upon notification, and no later than 10 business days after receipt, a data broker must not disclose or re-disclose on the Internet or otherwise make available the home addresses or unpublished home telephone numbers of the covered person.

49. This includes a mandate that within 10 business days of receiving a nondisclosure request, the data broker shall not disclose the protected information of the covered person. Disclosure is defined to mean to "solicit, sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, post, publish, distribute, circulate, disseminate, present, exhibit, advertise, or offer, and

shall include making available or viewable within a searchable list or database, regardless of whether a search of such list or database is actually performed.”

50. Daniel’s Law was amended in 2023, as P.L. 2023, c. 113. The amendment was passed unanimously by the Assembly on May 25, 2023, by the Senate on June 20, 2023, and was thereafter signed by the Governor on July 20, 2023.

51. Certain provisions of the amended law, including changes to N.J.S.A. 56:8-166.1, went into effect immediately.

52. As of July 20, 2023, Daniel’s Law as codified in N.J.S.A. 56:8-166.1 provided:<sup>8</sup>

3.a. (1) Upon notification pursuant to paragraph (2) of this subsection, and not later than 10 business days following receipt thereof, a person, business, or association shall not disclose or redisclose on the Internet or otherwise make available, the home address or unpublished home telephone number of any covered person, as defined in subsection d. of this section.

b. A person, business, or association that violates subsection a. of this section shall be liable to the covered person, or the covered person’s assignee, who may bring a civil action in the Superior Court.

c. The court shall award:

(1) actual damages, but not less than liquidated damages computed at the rate of \$1,000 for each violation of this act;

(2) punitive damages upon proof of willful or reckless disregard of the law;

(3) reasonable attorney’s fees and other litigation costs reasonably incurred; and

(4) any other preliminary and equitable relief as the court determines to be appropriate.

d. For the purposes of this section:

...“Disclose” shall mean to solicit, sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, post,

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<sup>8</sup> [https://pub.njleg.state.nj.us/Bills/2022/PL23/113\\_.PDF](https://pub.njleg.state.nj.us/Bills/2022/PL23/113_.PDF)

publish, distribute, circulate, disseminate, present, exhibit, advertise or offer, and shall include making available or viewable within a searchable list or database, regardless of whether a search of such list or database is actually performed."

53. Starting on or about December 30, 2023, each of the Individual Plaintiffs and all of the Covered Persons (who assigned claims to Atlas) sent Defendants written nondisclosure requests (via email) in accordance with Daniel's Law, using AtlasMail.

54. For example, a true and correct copy of the email directly from Plaintiff Andreyev (with personal information redacted) is pasted here:

To privacy@epsilon.com  
From Peter Andreyev <[REDACTED]@atlasmail.com>  
Date Sun, Dec 31, 2023 10:43 PM

Epsilon  
December 31, 2023

To Whom It May Concern:

I am a "Covered Person" as defined by New Jersey law P.L. 2023, c.113, P.L.2021, c.371 (as amended, the "Act"). Pursuant to the Act and Section 3 of New Jersey P.L.2015, c.226 (C.56:8-166.1) (as amended), I hereby request that you not disclose or re-disclose on the Internet or otherwise make available, the following protected information:

Name: Peter Andreyev

Phone: [REDACTED]

Sincerely,  
Peter Andreyev

55. Defendants failed to respond to these notices and, upon information and belief, cease the disclosure or re-disclosure on the Internet or the otherwise making available of the protected information of the Individuals Plaintiffs and Covered Persons within the time period required by Daniel's Law.

56. All of the Covered Persons who sent their nondisclosure requests to Defendants (not including the Individual Plaintiffs) have assigned their claims against Defendants to Atlas.

57. The Individual Plaintiffs and Atlas hereby assert claims against Defendants based on their violation of Daniel's Law and continuing refusal to comply with that law.

**COUNT ONE**

**(Daniel's Law)**

58. The allegations of the Complaint set forth above are included herein as if set forth at length.

59. The Individual Plaintiffs and Covered Persons transmitted notice in writing to Defendants requesting that Defendants cease disclosure of their home address and/or unpublished home telephone number and cease its disclosure or re-disclosure on the Internet or wherever Defendants otherwise made it available.

60. Defendants had an obligation under Daniel's Law to comply with the request within ten (10) business days.

61. As of the date of this filing, upon information and belief, Defendants still refuse to comply with Daniel's Law. Upon information and belief, the protected information (including home addresses and/or unpublished home telephone numbers) of the Individual Plaintiffs and the Covered Persons remains "available or viewable within a searchable list or database" or otherwise made available.

62. Upon information and belief, Defendants did not cease the disclosure or re-disclosure on the Internet or the otherwise making available of information as required under Daniel's Law, and their failure in doing so each constitute a separate violation under the law.

63. As a result of Defendants' failures to comply with Daniel's Law, Plaintiffs have suffered damages, and request all available relief.

WHEREFORE, Plaintiffs request that Judgment be entered against Defendants as follows:

- A. Ordering that Defendants immediately comply with Daniel's Law, and cease the disclosure of the Individual Plaintiffs' and the Covered Persons' names, home addresses, and unpublished home telephone numbers wherever disclosed or re-disclosed on the Internet or otherwise made available;
- B. Awarding actual damages, not less than liquidated damages under Daniel's Law, at "\$1,000 for each violation";
- C. Awarding an additional amount in punitive damages, to be determined by the Court, for "willful noncompliance" as allowed under Daniel's Law;
- D. Awarding reasonable attorneys' fees, interest (pre and post judgment) and litigation costs incurred;
- E. Ordering injunctive relief requiring that Defendants comply with Daniel's Law, and remove the Individual Plaintiffs' and the Covered Persons' protected information wherever disclosed;
- F. Entering equitable or other permanent injunctive relief requiring Defendants to comply with Daniel's law, including the appointment of a qualified independent expert to ensure that Defendants prospectively maintain compliance with Daniel's Law; and
- G. Awarding such other and further relief against Defendants as the Court deems equitable and just.

Respectfully Submitted,  
**GENOVA BURNS LLC**

Dated: February 8, 2024

By: /s/ Rajiv D. Parikh

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rmcgee@ForThePeople.com

*(pro hac vice motions to be filed)*

**DESIGNATION OF TRIAL COUNSEL**

The Court is advised that pursuant to New Jersey Court Rules 4:5-1(c) and 4:25-4,  
Rajiv D. Parikh, Esq. is hereby designated as trial counsel for Plaintiffs in this matter.

**GENOVA BURNS LLC**

Dated: February 8, 2024

By: /s/ Rajiv D. Parikh

Rajiv D. Parikh, Esq.

**CERTIFICATION PURSUANT TO RULE 4:5-1**

Pursuant to R. 4:5-1, it is hereby stated that the matter in controversy between the parties hereto is not the subject of any other action pending in any other Court or of a pending arbitration proceeding to the best of my knowledge and belief. Also, to the best of my knowledge and belief, no other action or arbitration proceeding between the parties hereto is contemplated. Further, other than the parties set forth in this pleading and the previous pleadings, if any, at the present time we know of no other parties that should be joined in the within action.

**GENOVA BURNS LLC**

Dated: February 8, 2024

By: /s/ Rajiv D. Parikh

Rajiv D. Parikh, Esq.

**CERTIFICATION PURSUANT TO RULE 1:38-7(b)**

Pursuant to Rule 1:38-7(b), it is hereby stated that all confidential personal identifiers have been redacted from documents now submitted to the Court and will be redacted from all documents submitted in the future.

**GENOVA BURNS LLC**

Dated: February 8, 2024

By: /s/ Rajiv D. Parikh

Rajiv D. Parikh, Esq.



# Civil Case Information Statement

## Case Details: MONMOUTH | Civil Part Docket# L-000533-24

**Case Caption:** ATLAS DATA PRIVACY C ORPORATIO VS EPSILON DATA M

**Case Initiation Date:** 02/08/2024

**Attorney Name:** RAJIV D PARIKH

**Firm Name:** GENOVA BURNS LLC

**Address:** 494 BROAD ST 6TH FL

NEWARK NJ 07102

**Phone:** 9735330777

**Name of Party:** PLAINTIFF : ATLAS DATA PRIVACY CORPORATION

**Name of Defendant's Primary Insurance Company**  
(if known): Unknown

**Case Type:** OTHER Daniel's Law

**Document Type:** Complaint

**Jury Demand:** NONE

**Is this a professional malpractice case?** NO

**Related cases pending:** NO

**If yes, list docket numbers:**

**Do you anticipate adding any parties (arising out of same transaction or occurrence)?** NO

**Does this case involve claims related to COVID-19?** NO

**Are sexual abuse claims alleged by: ATLAS DATA PRIVACY CORPORATION?** NO

**Are sexual abuse claims alleged by: JANE DOE 1?** NO

**Are sexual abuse claims alleged by: JANE DOE 2?** NO

**Are sexual abuse claims alleged by: EDWIN MALDONADO?** NO

**Are sexual abuse claims alleged by: JUSTYNA MALONEY?** NO

**Are sexual abuse claims alleged by: SCOTT MALONEY?** NO

**Are sexual abuse claims alleged by: PETER ANDREYEV?** NO

**Are sexual abuse claims alleged by: PATRICK COLLIGAN?** NO

**Are sexual abuse claims alleged by: WILLIAM SULLIVAN?** NO

## THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

**Do parties have a current, past, or recurrent relationship?** NO

**If yes, is that relationship:**

**Does the statute governing this case provide for payment of fees by the losing party?** NO

**Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:**

**Do you or your client need any disability accommodations? NO**  
**If yes, please identify the requested accommodation:**

**Will an interpreter be needed? NO**  
**If yes, for what language:**

**Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO**  
**Medical Debt Claim? NO**

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

02/08/2024  
Dated

/s/ RAJIV D PARIKH  
Signed

# **Exhibit C**



**GENOVA  
BURNS**  
ATTORNEYS-AT-LAW

Genova Burns LLC  
494 Broad Street, Newark, NJ 07102  
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Rajiv D. Parikh, Esq.

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Direct: 973-535-4446

February 20, 2024

**VIA PROCESS SERVER**

Conversant LLC  
c/o C T Corporation System  
208 S Lasalle St., Suite 814  
Chicago, IL 60604

**Re:     Atlas Data Privacy Corp. v. Epsilon Data Management, LLC, et al.,**  
**Docket No.: MON-L-000533-24**

Dear Sir/Madam:

This firm represents plaintiffs with regard to the above-referenced matter. Enclosed for service pursuant to the Rules of Court, please find the following:

1. Summons;
2. Document Preservation Notice;
3. First Request for the Production of Documents;
4. First Set of Interrogatories;
5. Complaint;
6. Track Assignment Notice;
7. Case Information Sheet.

Please be guided accordingly.

Very truly yours,

**GENOVA BURNS LLC**

*s/ Rajiv D. Parikh*  
 RAJIV D. PARIKH

RDP:dmc  
Enc.

**GENOVA BURNS LLC**

Rajiv D. Parikh, Esq. (032462005)  
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[keinhorn@genovaburns.com](mailto:keinhorn@genovaburns.com)

*Attorneys for Plaintiffs*

**ATLAS DATA PRIVACY CORPORATION,  
as assignee of individuals who are Covered  
Persons, et al.,**

Plaintiffs,

v.

**EPSILON DATA MANAGEMENT, LLC,  
CONVERSANT LLC, CITRUS AD  
INTERNATIONAL, INC., RICHARD ROES  
1-10, fictitious names of unknown individuals  
and ABC COMPANIES 1-10, fictitious  
names of unknown entities,**

Defendants.

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH COUNTY  
DOCKET NO.: MON-L-000533-24**

**CIVIL ACTION**

**SUMMONS**

**FROM THE STATE OF NEW JERSEY TO:**

To the Defendants Named Above:

The plaintiffs named above (and identified in the enclosed Complaint) have filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at <http://www.njcourts.gov>.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A

telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages, or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal services Offices and Lawyer Referral services is available in the Civil Division Management Office in the county listed above and online at <http://www.njcourts.gov>.

*/s/ Michelle M. Smith*  
MICHELLE M. SMITH, ESQ.  
Clerk of the Superior Court

Dated: February 20, 2024

Name and Address of Defendants to be Served:

Conversant LLC  
c/o C T Corporation System  
208 S Lasalle St., Suite 814  
Chicago, IL 60604



Genova Burns LLC  
 494 Broad Street, Newark, NJ 07102  
 Tel: 973.533.0777 Fax: 973.814.4045  
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Rajiv D. Parikh, Esq.

Partner

Member of NJ and NY Bars

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Direct: 973-535-4446

February 20, 2024

Conversant LLC  
 c/o C T Corporation System  
 208 S Lasalle St., Suite 814  
 Chicago, IL 60604

**Re: Atlas Data Privacy Corp. v. Epsilon Data Management, LLC, et al.,  
Docket No.: MON-L-000533-24 – Document Preservation Notice**

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We represent Atlas Data Privacy Corporation and the Individual Plaintiffs (“Plaintiffs”) identified in the enclosed complaint (“Complaint”) and summons asserting claims under Daniel’s Law, P.L. 2023, c. 113 (N.J.S.A. 56:8-166.1), against the named defendants (“the Defendants”).

The purpose of this letter (the “Notice”) is to remind Defendants of their present and ongoing obligations to preserve and retain all materials potentially relevant to any of the allegations made by Plaintiffs in the Complaint (the “Dispute”).

This includes without limitation hard copies and electronically stored information (“ESI”), such as emails, text messages, messages on instant messaging platforms, and materials stored in or transferred via cloud storage.

This document preservation notice should be read broadly consistent with Defendants’ obligations under Rule 4:18-1 and all other applicable rules governing preservation and discovery.

Pursuant to Defendants’ preservation obligations, Defendants must immediately take steps to preserve all hard copy documents and ESI relevant to the Dispute, including without limitation:

- (a) suspending Defendants’ data destruction and backup tape recycling policies;
- (b) suspending any overwriting or update processes related to any ESI unless a copy of each version is maintained;
- (c) preserving relevant software, including legacy software (unless an exact copy or mirror image is made and stored) and hardware that is no longer in service but was in service during any part of the relevant time period (back to the



Conversant LLC  
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enactment of Daniel's Law), and CVS source or other version control repositories;

- (d) retaining and preserving necessary information to access, review and reconstruct (if necessary) relevant electronic data, including identification codes and passwords, decryption applications, decompression software, reconstruction software, network access codes, manuals, and user instructions;
- (e) retaining and preserving all ESI related to the Dispute on personal devices (including for example and without limitation computers, phones, and tablets used by Defendants' employees, contractors, and agents);
- (f) retaining and preserving all Slack, WhatsApp, Viber, Signal, Telegram, and other instant messages and chats (including without limitation changing default settings on instant message programs to ensure those records are preserved);
- (g) any other reasonable steps necessary to prevent the destruction, loss, override or modification of relevant data either intentionally or inadvertently, such as through implementation of Defendants' document retention policies

This list is not exhaustive, and Defendants have independent obligations to identify and preserve all relevant information. All ESI must be preserved intact and without modification.

The following is a non-exhaustive list of relevant information that should be preserved (with documents defined broadly to include without limitation all communications, including emails, text messages, and other communications):

- All documents concerning any of the allegations in the Complaint.
- All documents concerning Daniel's Law.
- All documents concerning Atlas.
- All documents concerning any of the Individual Plaintiffs.
- All documents concerning this litigation.
- All documents concerning any Daniel's Law Requests (as defined in N.J.S.A. 56:8-166.2).



Conversant LLC  
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- All documents concerning Defendants' receipt of any Daniel's Law Requests.
- All documents concerning Defendants' response to any Daniel's Law Requests.
- All documents concerning Defendants' analysis of any Daniel's Law Requests.
- All documents concerning the disclosure of any home address and/or unpublished home telephone numbers, including without limitation on the website(s) identified in the Complaint after the receipt of any Daniel's Law Requests.
- All documents concerning Defendants' compliance process in connection with any Daniel's Law Requests, including Defendants' failure to comply.

This preservation should include all data and records relevant to assessing Defendants' compliance with Daniel's Law following the receipt of any Daniel's Law Requests, including for example data and records demonstrating any Defendant (or other responsible entity or individual) disclosing or re-disclosing on the Internet (including without limitation with the identified website(s)) or otherwise making available the home address and/or unpublished home telephone numbers of any person who sent any Daniel's Law Request. Plaintiffs expect that Defendants will preserve data and records concerning each and every violation of Daniel's Law, both for purposes of calculating statutory damages and for purposes of evaluating injunctive relief.

This list is not exhaustive, and Defendants each must conduct an investigation and preserve all information potentially relevant to the Dispute, including all information from any individual who has documents potentially relevant to the Dispute.

Defendants must also take reasonable steps to preserve all hard copy documents and ESI relevant to the Dispute that are not in their possession but are in their custody or control. Documents and ESI in the possession of non-parties that is within Defendants' custody or control must also be preserved intact and without modification.

Preservation of ESI includes preservation not only of the electronic information itself (whether stored online, offline, in a cloud-based server or in other electronic storage, or on any computers, handheld devices, tablets, cell phones or other devices, whether or not in Defendants' possession), but also of relevant related data, including without limitation:

- (a) active, archived and deleted copies of electronic information, such as e-mails, voicemails, text messages, instant messages (for example, Slack



Conversant LLC  
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messages), calendars, diaries, word processing files, spreadsheets, PDFs, JPEGs, PowerPoint presentations, Google Drive files, Dropbox files, videoconferencing (e.g., Zoom) recordings and files, temporary internet files, cookies, and .ZIP files, among others;

- (b) databases, including Dropbox, Box, Planbox, Visual Studio Team Services, Amazon RDS, Google Cloud, Microsoft Access or Azure, and SQL systems;
- (c) metadata about the electronically stored information, including the date that it was created and last modified, and the individual(s) that created and modified it.

This list is not exhaustive, and Defendants must preserve all information potentially relevant to the Dispute. Defendants' failure to preserve relevant ESI may constitute spoliation of evidence and subject Defendants to monetary and other sanctions. Plaintiffs reserve all rights in connection with any spoliation by Defendants. We trust that Defendants will preserve all relevant hard copy documents and ESI for the duration of the Dispute.

Please also maintain records of Defendants' efforts to comply with their preservation obligations. If a dispute arises out of Defendants' failure to preserve documents, Plaintiffs will rely on this letter as evidence of their request and reminder of Defendants' preservation obligations.

Thank you for your cooperation. If you have questions, please contact me.

Sincerely,

**GENOVA BURNS LLC**

*s/ Rajiv D. Parikh*

**RAJIV D. PARIKH**

RDP:dmc  
 enc.

**GENOVA BURNS LLC**

Rajiv D. Parikh, Esq. (032462005)  
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*Attorneys for Plaintiffs*

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.,*

Plaintiffs,

v.

EPSILON DATA MANAGEMENT, LLC,  
CONVERSANT LLC, CITRUS AD INTERNATIONAL, INC., RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
DOCKET NO.: MON-L-000533-24

**CIVIL ACTION**

**PLAINTIFFS' FIRST REQUEST TO DEFENDANT FOR PRODUCTION OF DOCUMENTS**

TO: CONVERSANT LLC

PLEASE TAKE NOTICE that the undersigned, attorneys for plaintiffs, hereby demands that each Defendant produce and/or permit Plaintiffs or someone acting on Plaintiffs' behalf to inspect and copy the following designated documents at the offices of Genova Burns LLC, within the manner and within the time prescribed by the Rules of Court of the State of New Jersey.

**GENOVA BURNS LLC**  
*Attorneys for Plaintiffs*

By: /s/ Rajiv D. Parikh  
Rajiv D. Parikh

DATED: February 20, 2024

**INSTRUCTIONS**

A. If you assert a privilege or work-product immunity as a ground for non-production of any document requested, please produce all documents over which you are not asserting any such privilege or immunity, and in addition, set forth as to each document over which a privilege is claimed:

- (1) the date of the document;
- (2) the type of document (e.g., letter, memorandum, chart, etc.);
- (3) the names and addresses of all authors and recipients of the document and the employer and business or legal title of each author or recipient;
- (4) a detailed explanation of why the privilege or immunity is deemed applicable, including sufficient facts for the Court to make a full determination of whether your assertion is valid; and
- (5) the present location of the document and the name and address of its custodian.

B. This Request for Production shall be deemed continuing so as to require supplemental responses if you obtain or discover additional documents between the time your responses are served and the time of trial.

C. In producing documents in compliance with this Request, produce all documents which are available to you, including documents in the custody, possession or control of your attorney or investigators for your attorney, and not merely such documents known to exist to your own personal knowledge. If you do not comply in full with the following Request for Production due to the non-existence of the documents(s) sought, so state in writing, specifying the reason for your inability to produce such documents(s).

D. In producing documents in compliance with this Request, collate and identify each

document by the numbered Request(s) for Production to which each document is produced. If any particular document produced is responsive to more than one numbered Request for Production, identify each numbered Request to which said document is responsive.

### **DEFINITIONS**

A. "And" and "or" as used herein shall have the same meaning, that is, the disjunctive meaning of "or." The listing of terms separated by commas, semi-colons, the word "and" or the word "or" shall be deemed to require a response to each and every term listed.

B. "Atlas" means Atlas Data Privacy Corporation ("Atlas") who is a Plaintiff and assignee of individuals who are covered persons under Daniel's Law as further alleged in the Complaint.

C. "Daniel's Law" means the law enacted in November 2020 (P.L. 2020, c. 125 *codified in N.J.S.A. 47:1A-1, et seq. and N.J.S.A 56:8-166.1*), which prohibits online data brokers from selling, publishing, and distributing the name and address of current and former judges, law enforcement officers, and prosecutors and their eligible family members (i.e., "covered persons"), upon any written request by the covered person.

D. "Daniel's Law Request" means any request pursuant to Daniel's Law (N.J.S.A. 56:8-166.2) to refrain from disclosing, re-disclosing, or otherwise making available protected information and/or remove protected information from the Internet or where otherwise made available.

E. "Defendant" refers to each and every defendant identified in the Complaint and shall also include any and all agents, officers, directors, attorneys, employees, contractors, predecessors in interest, parents, subsidiaries, affiliates, assigns, successors, and representatives of any/all of them, or other persons acting on its respective or collective behalf.

F. "Describe," "set forth" and "state" all mean to state the substance of the event,

circumstances, facts, communications, representation, conversation, meeting, transaction, occasion or other occurrence in question; the date, time, place and identity of all persons present thereat or participating therein; that which each such person said and did; the approximate duration of such occurrence; the method or means of communications employed; the identity of all documents relating thereto; and the identity of all persons having knowledge of such occurrence; as well as the date and means when and whereby such knowledge was first acquired, setting forth the underlying facts rather than ultimate conclusions.

G. "Document" or "documents" means the original and any identical or non-identical copy, regardless of origin or location, of any written, reported, filmed, magnetically stored, or graphic matter, or record of any type or description, whether produced, reproduced or producible on paper, cards, tapes, film, electronic facsimile, computer storage devices, or any other media, including but not limited to emails, memoranda, notes, minutes, records, photographs, computer programs, correspondence, telegrams, diaries, bookkeeping entries, specifications, source code, object code, flow charts, financial statement, charts, studies, reports, graphs, statements, notebooks, handwritten notes, applications, feasibility studies, agreements, books, pamphlets, periodicals, appointment calendars, notes, records and recordings of oral conversations, work papers, and also including but not limited to, originals and all copies which are different in any way from the original, whether by interlineation, receipt stamp, notation, indication of copy sent or received, or otherwise, and drafts, which are in the possession, custody or control of the present or former agents, officers, directors, representatives, employees, or attorneys of Defendant, or all persons acting on Defendant's behalf, including documents at any time in the possession, custody or control of such individuals or entities who are known by Defendant to exist. Include also any catalog, brochure or any other data compilations from which information can be obtained and translated if necessary, or any other written, recorded, stored, transcribed, punched, taped, filed or

graphic matter however produced or reproduced, to which Defendant has or have had access.

H. "Identify," or "identification" mean, when used in reference to:

- (1) a natural person, his or her:
  - (a) full name;
  - (b) present or last known home address (including street name and number, city or town, state, zip code, and telephone number);
  - (c) present or last known business address (including street name and number, city or town, state, zip code, and telephone number);
  - (d) present or last known occupation, position, business affiliation, and job description;
  - (e) occupation, position, business affiliation, and job description at the time relevant to the particular interrogatory being answered.
- (2) a company, corporation, association, partnership or legal entity other than a natural person:
  - (a) its full name;
  - (b) a description of the type of organization or entity;
  - (c) the full address (including street name and number, city or town, state, zip code, and telephone number) of its principal place of business;
  - (d) the jurisdiction of incorporation or organization.
- (3) a document:
  - (a) its description (for example, letter, memorandum, report);
  - (b) its title (e.g., letter, memorandum, telegram, chart, etc.)
  - (c) its date;

- (d) the number of pages thereof;
- (e) its subject;
- (f) the identity of its author, signatory or signatories, and any person who participated in its preparation;
- (g) the identity of its addressee or recipient;
- (h) the identity of each person to whom copies were sent and each person by whom copies were received;
- (i) its present location; and
- (j) the identity of its present custodian.

(If any such document was, but is no longer, in the possession of or subject to the control of Defendant, state what disposition was made of it and when).

- (4) a communication or statement:
  - (a) the date and time when it occurred;
  - (b) the place where it occurred;
  - (c) the complete substance of the communication;
  - (d) the identity of each person; (1) to whom such communication was made; (2) by whom such communication was made; and (3) who was present when such communication was made;
  - (e) if by telephone: (1) the identity of each person: (i) who made each telephone call; and (ii) who participated in each call; and (2) the place where each person participating in the telephone call was located;
  - (f) the identity of all documents memorializing, referring to or

relating in any way to the subject of the communication.

I. "Individual Plaintiffs" means the Plaintiffs identified in the Complaint other than Atlas and shall include any and all agents, officers, directors, attorneys, employees, and other persons acting on its behalf.

J. "Plaintiff" means the Plaintiffs identified in the Complaint and shall include any and all agents, officers, directors, attorneys, employees, and other persons acting on its behalf.

K. "Person" means a natural person, firm, proprietorship, association, partnership, corporation or any other type of organization or entity.

L. "You" and "Your" refers to each Defendant responding to these requests, with the term Defendant broadly defined above.

**REQUESTS FOR PRODUCTION OF DOCUMENTS**

1. Any and all documents concerning any of the allegations in the Complaint.
2. Any and all documents concerning Daniel's Law.
3. Any and all documents concerning Atlas.
4. Any and all documents concerning any of the Individual Plaintiffs.
5. Any and all documents concerning this litigation.
6. Any and all documents concerning any Daniel's Law Requests.
7. Any and all documents concerning Defendants' receipt of any Daniel's Law Requests.
8. Any and all documents concerning Defendants' response to any Daniel's Law Requests.
9. Any and all documents concerning Defendants' analysis of any Daniel's Law Requests.
10. Any and all communications and documents regarding communications with any of the Individual Plaintiffs, Atlas, or any other Covered Person.
11. Any and all documents concerning the disclosure of any home address and/or unpublished home telephone numbers, including without limitation on the website(s) identified in the Complaint after the receipt of any Daniel's Law Requests.
12. Any and all documents concerning Defendants' compliance process in connection with any Daniel's Law Requests, including Defendants' failure to comply.

**GENOVA BURNS LLC**  
*Attorneys for Plaintiffs*

By: /s/ Rajiv D. Parikh  
Rajiv D. Parikh

DATED: February 20, 2024

**CERTIFICATION**

I hereby certify on behalf of \_\_\_\_\_ that I have reviewed the document production requests and that I have made or caused to be made a good faith search for documents responsive to the requests. I further certify that as of this date, to the best of my knowledge and information, the production is complete and accurate based on ( ) my personal knowledge and/or ( ) information provided by others. I acknowledge my continuing obligation to make good faith effort to identify additional documents that are responsive to the request and to promptly serve a supplemental written response and production of such documents, as appropriate, as I become aware of them.

---

DATED:

**GENOVA BURNS LLC**

Rajiv D. Parikh, Esq. (032462005)  
Kathleen Barnett Einhorn, Esq. (040161992)  
494 Broad Street  
Newark, New Jersey 07102  
(973) 533-0777  
[rparikh@genovaburns.com](mailto:rparikh@genovaburns.com)  
[keinhorn@genovaburns.com](mailto:keinhorn@genovaburns.com)

*Attorneys for Plaintiffs*

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.,*

Plaintiffs,

v.

EPSILON DATA MANAGEMENT, LLC,  
CONVERSANT LLC, CITRUS AD INTERNATIONAL, INC., RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
DOCKET NO.: MON-L-000533-24

**CIVIL ACTION**

**PLAINTIFFS' FIRST SET OF  
INTERROGATORIES**

TO: CONVERSANT LLC

PLEASE TAKE NOTICE that the undersigned attorneys for Plaintiffs hereby request that Defendants answer the following Interrogatories within the manner and within the time prescribed by the Rules of this Court of the State of New Jersey.

**GENOVA BURNS LLC**  
*Attorneys for Plaintiffs*

By: /s/ Rajiv D. Parikh  
Rajiv D. Parikh

DATED: February 20, 2024

## INSTRUCTIONS

A. If any Interrogatory is not answered in full, state the precise reason for failing to complete the answer. If a legal objection is made with respect to any Interrogatory, you should set forth the specific reasons for such objection. If your response to all or part of any Interrogatory is incomplete or not known at the time your initial response is made, please (a) include an explicit statement to that effect in your response, designating that it is incomplete and providing the reasons or grounds for any omissions or refusals or inabilities to complete the response; (b) furnish the information that is known or available; and (c) respond to the Interrogatory by amended or supplemental response in writing under oath within 20 days of the date on which the supplemental information becomes known or available.

B. If you are withholding information requested by any Interrogatory or any portion of an Interrogatory upon a claim that it is privileged or subject to protection as trial preparation material, pursuant to R. 4:10-2(e), make the claim expressly in your written response, identifying the privilege or protection you are claiming, and provide sufficient information about the documents, communications, information, or other items not produced or disclosed in a manner that, without revealing information itself privileged or protected, will enable all parties to assess the applicability of the privilege or protection, including identifying the following information in a separate privilege log:

- (1) the nature of the privilege or protection claimed;
- (2) a statement of the basis for the claim of privilege or protection;
- (3) whether, as to the information requested, (i) any document exists, and/or (ii) any oral communications took place;
- (4) a description of the document, oral communication, or other item/information, including:

(a) For documents: (i) the type of document, *e.g.*, letter or memorandum or e-mail; (ii) the general subject matter of the document, and in the case of any document relating or referring to a meeting or conversation, identification of such meeting or conversation; (iii) the date of the document; (iv) the author of the document, the addressees of the document, and any other recipients, including each person who was sent or shown blind or carbon copies of the such, or has had access to or custody of such, and, where not apparent, the relationship of the author, addressees, and recipients to each other; and (v) the number of pages, attachments, and appendices;

(b) For oral communications: (i) the name of the person making the communication and the names of persons present while the communication was made and, where not apparent, the relationship of the persons present to the person making the communication; (ii) the date and place of communication; and (iii) the general subject matter of the communication; and

(c) The present custodian of the document, oral communication, or other item/information.

C. In answering these interrogatories, furnish all information which is available to you, including non-privileged information in the possession of your attorneys, representatives, or investigators for your attorneys, and not merely such information known of your personal knowledge. If you cannot answer the following Interrogatories in full after exercising due diligence to secure the information to do so, so state and answer to the extent possible, specifying your inability to answer the remainder and stating whatever information or knowledge you have concerning the unanswered portions. This means:

(1) When answering the following Interrogatories, provide any and all

information either in your possession, under your control, within your dominion, or available to you, regardless of whether this information is in your personal possession, or is possessed by your agents, servants, employees, independent contractors, representatives, or others with whom you have or had a relationship and are capable of deriving information, documents, or materials; and

(2) If you do not have personal knowledge of the information contained in any of your answers to the below Interrogatories, you should state that your answer is not verified by personal knowledge and identify the person(s) from whom the information was obtained or, if the source of the information is documentary, provide a full description of the documents, including the location thereof.

D. If any answers to these Interrogatories are made based on information that was not within your personal knowledge, provide the name and address of every person from whom you received such information.

E. Where an interrogatory calls for identification of any paper, you are to attach a copy of such paper to your answers to these Interrogatories in addition to providing a written response to the Interrogatory, pursuant to R. 4:17-4, and you are to provide an explicit reference to each Interrogatory to which each document(s) is responsive.

F. These Interrogatories are to be continuing until the date of trial and any information secured subsequent to the filing of your answers, which would have been included in the answers had it been known or available, is required to be supplied by filing further and supplemental answers.

G. Pursuant to R. 4:17-7, if you obtain information that renders your answers to these interrogatories incomplete or inaccurate, you must serve amended answers not later than twenty (20) days prior to the end of the discovery period.

H. The fact that another party produced information requested in any particular Interrogatory, or that the requested information or similar or identical information is available from another source, or that the requesting party already has knowledge of the matter on which it is seeking discovery, does not relieve Plaintiff of his obligation to produce his response to each Interrogatory herein.

#### **DEFINITIONS**

A. “And” and “or” as used herein shall have the same meaning, that is, the disjunctive meaning of “or.” The listing of terms separated by commas, semi-colons, the word “and” or the word “or” shall be deemed to require a response to each and every term listed.

B. “Atlas” means Atlas Data Privacy Corporation (“Atlas”) who is a Plaintiff and assignee of individuals who are covered persons under Daniel’s Law as further alleged in the Complaint.

C. “Daniel’s Law” means the law enacted in November 2020 (P.L. 2020, c. 125 *codified in N.J.S.A. 47:1A-1, et seq. and N.J.S.A. 56:8-166.1*), which prohibits online data brokers from selling, publishing, and distributing the name and address of current and former judges, law enforcement officers, and prosecutors and their eligible family members (i.e., “covered persons”), upon any written request by the covered person.

D. “Daniel’s Law Requests” means any request pursuant to Daniel’s Law (N.J.S.A. 56:8-166.2) to refrain from disclosing, re-disclosing, or otherwise making available protected information and/or remove protected information from the Internet or where otherwise made available.

E. “Defendant” refers to any defendant Identified in the Complaint and shall include any and all agents, officers, directors, attorneys, employees, contractors, predecessors in interest, parents, subsidiaries, affiliates, assigns, successors, and representatives of any/all of them, or other

persons acting on its respective or collective behalf.

F. "Describe," "set forth" and "state" all mean to state the substance of the event, circumstances, facts, communications, representation, conversation, meeting, transaction, occasion or other occurrence in question; the date, time, place and identity of all persons present thereat or participating therein; that which each such person said and did; the approximate duration of such occurrence; the method or means of communications employed; the identity of all documents relating thereto; and the identity of all persons having knowledge of such occurrence; as well as the date and means when and whereby such knowledge was first acquired, setting forth the underlying facts rather than ultimate conclusions.

G. "Document" or "documents" means the original and any identical or non-identical copy, regardless of origin or location, of any written, reported, filmed, magnetically stored, or graphic matter, or record of any type or description, whether produced, reproduced or producible on paper, cards, tapes, film, electronic facsimile, computer storage devices, or any other media, including but not limited to emails, memoranda, notes, minutes, records, photographs, computer programs, correspondence, telegrams, diaries, bookkeeping entries, specifications, source code, object code, flow charts, financial statement, charts, studies, reports, graphs, statements, notebooks, handwritten notes, applications, feasibility studies, agreements, books, pamphlets, periodicals, appointment calendars, notes, records and recordings of oral conversations, work papers, and also including but not limited to, originals and all copies which are different in any way from the original, whether by interlineation, receipt stamp, notation, indication of copy sent or received, or otherwise, and drafts, which are in the possession, custody or control of the present or former agents, officers, directors, representatives, employees, or attorneys of Defendant, or all persons acting on Defendant's behalf, including documents at any time in the possession, custody or control of such individuals or entities who are known by Defendant to exist. Include also any

catalog, brochure or any other data compilations from which information can be obtained and translated if necessary, or any other written, recorded, stored, transcribed, punched, taped, filed or graphic matter however produced or reproduced, to which Defendant has or have had access.

H. "Identify," or "identification" mean, when used in reference to:

- (1) a natural person, his or her:
  - (a) full name;
  - (b) present or last known home address (including street name and number, city or town, state, zip code, and telephone number);
  - (c) present or last known business address (including street name and number, city or town, state, zip code, and telephone number);
  - (d) present or last known occupation, position, business affiliation, and job description;
  - (e) occupation, position, business affiliation, and job description at the time relevant to the particular interrogatory being answered.
- (2) a company, corporation, association, partnership or legal entity other than a natural person:
  - (a) its full name;
  - (b) a description of the type of organization or entity;
  - (c) the full address (including street name and number, city or town, state, zip code, and telephone number) of its principal place of business;
  - (d) the jurisdiction of incorporation or organization.
- (3) a document:
  - (a) its description (for example, letter, memorandum, report);

- (b) its title (e.g., letter, memorandum, telegram, chart, etc.)
- (c) its date;
- (d) the number of pages thereof;
- (e) its subject;
- (f) the identity of its author, signatory or signatories, and any person who participated in its preparation;
- (g) the identity of its addressee or recipient;
- (h) the identity of each person to whom copies were sent and each person by whom copies were received;
- (i) its present location; and
- (j) the identity of its present custodian.

(If any such document was, but is no longer, in the possession of or subject to the control of Defendant, state what disposition was made of it and when).

- (4) a communication or statement:
  - (a) the date and time when it occurred;
  - (b) the place where it occurred;
  - (c) the complete substance of the communication;
  - (d) the identity of each person; (1) to whom such communication was made; (2) by whom such communication was made; and (3) who was present when such communication was made;
  - (e) if by telephone: (1) the identity of each person: (i) who made each telephone call; and (ii) who participated in each call; and (2) the place where each person participating in the telephone call

was located;

(f) the identity of all documents memorializing, referring to or relating in any way to the subject of the communication.

I. "Individual Plaintiffs" means the Plaintiffs identified in the Complaint other than Atlas and shall include any and all agents, officers, directors, attorneys, employees, and other persons acting on its behalf.

J. "Plaintiff" means the Plaintiffs identified in the Complaint and shall include any and all agents, officers, directors, attorneys, employees, and other persons acting on its behalf.

K. "Persons" means a natural person, firm, proprietorship, association, partnership, corporation or any other type of organization or entity.

L. "You" and "Your" refers to each Defendant responding to these interrogatories, with the term Defendant broadly defined above.

**INTERROGATORIES**

1. Please provide detailed information regarding all persons (including all companies and individuals, with contact information) that since receiving any Daniel's Law Request have had any ownership, controlling interest, or agency over each of the websites listed in Plaintiffs' Complaint.
2. Please identify every source of home addresses and/or unpublished home telephone numbers that you own, have a controlling interest in, or otherwise have any agency over, including without limitation all such Internet websites (by name and URL) and any other way in which such information is made available.
3. Please describe in detail all ways in which you have obtained (and in the future obtain) and have disclosed or made available (and in the future disclose or make available) any home addresses or unpublished home telephone numbers, including without limitation by identifying all upstream and downstream sources and recipients of such data including, but not limited to any websites, URLs, databases, entities, and individuals.

**CERTIFICATION**

I hereby certify that the foregoing answers to answers to interrogatories are true. I am aware that if any of the following statements made by me are willfully false, I am subject to punishment.

I hereby certify that the copies of any documents annexed hereto and provided herein are exact copies; that the existence of any other documents are unknown to me, and if such become later known or available, I shall serve them promptly on the propounding party.

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DATED:

**GENOVA BURNS LLC**

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*Attorneys for Plaintiffs Atlas Data Privacy Corporation, Jane Doe-1, a law enforcement officer, Jane Doe-2, a law enforcement officer, Edwin Maldonado, Scott Maloney, Justyna Maloney, Patrick Colligan, Peter Andreyev and William Sullivan*

ATLAS DATA PRIVACY CORPORATION, *as assignee of individuals who are Covered Persons*, JANE DOE-1, *a law enforcement officer*, JANE DOE-2, *a law enforcement officer*, EDWIN MALDONADO, SCOTT MALONEY, JUSTYNA MALONEY, PATRICK COLLIGAN, PETER ANDREYEV, and WILLIAM SULLIVAN,

Plaintiffs,

v.

EPSILON DATA MANAGEMENT, LLC, CONVERSANT LLC, CITRUS AD INTERNATIONAL, INC., RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

**BOIES SCHILLER FLEXNER LLP**

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SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH COUNTY  
DOCKET NO.: MON-L-\_\_\_\_\_ -24

**CIVIL ACTION**

**COMPLAINT**

Plaintiffs Atlas Data Privacy Corporation (“Atlas”) as the assignee of individuals who are Covered Persons under Daniel’s Law along with Jane Doe-1 (a law enforcement officer), Jane Doe-2 (a law enforcement officer), Edwin Maldonado, Scott Maloney, Justyna Maloney, Patrick

Colligan, Peter Andreyev, and William Sullivan (collectively, “Plaintiffs”), by and through their undersigned counsel, hereby submit this Complaint against Defendants and state as follows:

## **INTRODUCTION**

1. In these tumultuous times, it is critical that the most sensitive personal information of those who serve the public be protected from unwarranted disclosure. As set forth below, Daniel’s Law was passed unanimously by our Legislature to provide judges, law enforcement officers, and prosecutors – and their families – with the right to prevent the disclosure of their home addresses and unpublished home telephone numbers, and to enforce those rights against uncooperative profit-seeking data brokers.

2. This complaint seeks to protect those important rights, against companies brokering data and choosing profit and personal gain over a critical public interest and the unequivocal mandate of the law. Companies in the business of disclosing this protected information have avoided accountability for far too long, proffering such information, including home addresses and unpublished home telephone numbers, without sufficient regard for the risks and consequences imposed upon individuals who serve critical judicial and law enforcement roles.

3. The Legislature and Governor unanimously agree that the basic safety of those who serve – and their families – must be assured. Here, not only do the data brokers wantonly and repeatedly disregard the law, but they also demonstrate a callousness towards the well-being of those who serve. Our judges, law enforcement officers and prosecutors should receive the full measure of protection afforded to them under the same laws they enforce for the safety of all citizens.

4. With this action, Plaintiffs seek to enforce the important rights granted to judges, law enforcement officers, and prosecutors under Daniel’s Law. Consistent with the statutory provisions, Atlas brings this action as an assignee for certain individuals, including many family

members of law enforcement officers and prosecutors. Plaintiffs seek all available injunctive relief and statutory damages, including to prevent any further disclosure by Defendants of information in violation of Daniel's Law.

## **BACKGROUND**

### **Passage of Daniel's Law in New Jersey**

5. In July 2020, Daniel Anderl, the son of a New Jersey federal Judge, was shot dead by a gunman posing as a FedEx delivery man at the front door of the family's New Jersey home. Daniel, who was just age 20 and a rising junior in college, and who aspired to practice law like his parents, took a bullet to his chest trying to protect his parents. By the time his mother, a Judge, came to the door to check on what happened, the killer was gone. But her husband was critically wounded, and Daniel tragically died from the gunshot.

6. During the investigation, the perpetrator was found to have certain political and personal grievances against the Judge, and went to their home that day intending to kill her. Instead, he murdered the Judge's son and almost succeeded in killing her husband as well. Investigators eventually connected this attack with another shooting of an attorney in California, who was similarly mortally gunned down answering the door to his residence to pick up a supposed package from the same disguised gunman. Authorities concluded that the shooter was disgruntled over certain legal cases with similar political and legal issues to what was pending before Daniel's mother.

7. Critically, the gunman was able to find the home addresses of both of his murder victims through the various people finder resources available on the internet,<sup>1</sup> the same kind of data broker services at issue in this case.

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<sup>1</sup> <https://www.cbsnews.com/news/esther-salas-son-murder-roy-den-hollander-48-hours/>.

**New Jersey Passes Daniel's Law in 2020**

8. In response to the shooting of Daniel, New Jersey enacted Daniel's Law within a few months, in November 2020 (P.L. 2020, c. 125 *codified in N.J.S.A. 47:1A-1, et seq.* and *N.J.S.A. 56:8-166.1*), which prohibits online data brokers from selling, publishing, and distributing the name and address of current and former judges, law enforcement officers, and prosecutors and their eligible family members (i.e., "covered persons"), upon any written request by the covered person. Law enforcement personnel are expressly covered by the statute, in full recognition that the public service they provide is no less dangerous or important than those of Judges and prosecutors.

9. Any such covered person may request that a data broker not "disclose or re-disclose on the Internet or otherwise make available" their home addresses or unpublished home telephone numbers. Disclosure is defined to mean to "solicit, sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, post, publish, distribute, circulate, disseminate, present, exhibit, advertise, or offer, and shall include making available or viewable within a searchable list or database, regardless of whether a search of such list or database is actually performed." Data brokers must cease disclosure of this protected information within 10 business days of receiving a nondisclosure request from a covered person.

**Congress Passes Daniel Anderl Judicial Security and Privacy Act in 2022**

10. Similar to the actions taken by the State of New Jersey, federal judges such as U.S. Supreme Court Chief Justice John G. Roberts Jr. proposed and supported a federal version of Daniel's Law. The Chief Justice was quoted stating, "[t]he law requires every judge to swear an

oath to perform his or her work without fear or favor, but we must support judges by ensuring their safety ... [a] judicial system cannot and should not live in fear.”<sup>2</sup>

11. The federal bill, which had broad bipartisan support in both the House and Senate, protected judges’ personally identifiable information from resale by data brokers. It allowed federal judges to redact their personal information displayed on federal government internet sites.

12. The U.S. Senate voted 83-11 to pass the annual defense authorization bill, with the Daniel Anderl Judicial Security and Privacy Act attached,<sup>3</sup> and it was signed by President Biden.<sup>4</sup>

#### **Violence Against Police Officers and Judges Has Not Stopped**

13. Judges, law enforcement officers, and prosecutors put their lives on the line every day, which is clearly exhibited by numerous horrific stories of violence beyond the story of the murder of Daniel Anderl. For example, in 2020, three shooters openly fired upon the Camden home of two New Jersey police officers and their 10-day old infant. That the officers were constantly involved in the community doing good afforded them no safety from the perpetrators.<sup>5</sup>

14. More recently, another perpetrator hunted and killed in cold blood a Maryland Judge, after a child custody ruling.<sup>6</sup> The killing followed that of a Wisconsin Judge in 2022, where the perpetrator killed the retired Judge out of spite for his handling of a criminal case in 2005.<sup>7</sup>

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<sup>2</sup> <https://www.washingtonpost.com/politics/2022/12/31/supreme-court-roberts-leak-report/>.

<sup>3</sup> <https://www.uscourts.gov/news/2022/12/16/congress-passes-daniel-anderl-judicial-security-and-privacy-act>.

<sup>4</sup> <https://www.nj.com/politics/2022/12/biden-signs-defense-policy-bill-that-remembers-3-new-jerseyans.html>.

<sup>5</sup> [Shooters Open Fire On Home Of New Jersey Police Officers In ‘Targeted Attack,’ Chief Says \(forbes.com\)](https://www.forbes.com/sites/stevenhollister/2020/12/03/shooters-open-fire-on-home-of-new-jersey-police-officers-in-targeted-attack-chief-says/).

<sup>6</sup> [Judge Andrew Wilkinson: Suspect still on the run after killing a judge at his home in a 'targeted attack' following a child custody ruling, sheriff says | CNN](https://www.cnn.com/2023/02/01/us/judge-andrew-wilkinson-killed-wisconsin/index.html).

<sup>7</sup> [Former Judge John Roemer was killed in his Wisconsin home in a targeted attack, officials say | CNN](https://www.cnn.com/2023/02/01/us/judge-john-roemer-killed-wisconsin/index.html).

## THE PARTIES

### The Individual Plaintiffs

15. Plaintiff JANE DOE-1, whose name has been anonymized for safety reasons, is a decorated veteran police officer working in Northern New Jersey. Between 2021 and 2022, Officer Doe-1 participated in a task force that targeted a major criminal organization operating in the state. Her efforts ultimately led to the arrest and prosecution of a member of the organization's leadership, an individual with an extensive criminal history including threats of violence. In the subsequent investigation, digital devices recovered from the organization's leadership were analyzed and photographs of Officer Doe-1's personal residence were identified. Officer Doe-1 lives in the home with her spouse and their young child. Evidence recovered in the investigation included night-time photography of the young child's bedroom and playroom windows, with the light on while the child was playing inside. Further investigation revealed that the criminal organization's leadership had hired a private investigator who searched online data broker websites to obtain the officer's home address. Having identified her home address, text messages confirmed that they had initiated surveillance and were tracking Officer Doe-1's movements to and from her home, immediately prior to the task force initiating arrests.

16. Plaintiff JANE DOE-2, whose name has been anonymized for safety reasons, is a veteran correctional police officer who lives in Northern New Jersey with her husband and two young children. Earlier in her career, Officer Doe-2 was the subject of a death threat from a hostile inmate. The inmate stated that they intended to kill Officer Doe-2, and further implied that they would rely upon a particular private investigator to track down Officer Doe-2's home address to facilitate the murder. This death threat was investigated and considered credible enough to result in a successful criminal prosecution. Part of Officer Doe-2's current duties include working in her

correctional facility's law library, where inmates have access to the Internet including online data broker websites and services. Recently Officer Doe-2 and her coworkers discovered a note left behind by an inmate which included the full name and home address of a young female member of the jail's administrative staff. The most effective ways to safeguard the security and privacy of their home addresses - for their own safety and that of their family members - is a frequent topic of discussion and concern among the correctional police officers working at Officer Doe-2's facility.

17. Plaintiff Officer EDWIN MALDONADO joined the Plainfield, New Jersey police department as a patrol officer in 2000. After a few months on the job, he was assigned to street crimes, where he excelled at field work. In 2005, he became a Detective with Plainfield's major crimes unit and joined a Federal task force targeting the Mara Salvatrucha-13 (MS-13) gang in New Jersey. He worked with the task force for the next two years. During that time period, he received multiple credible death threats from MS-13 members. Detective Maldonado did not believe he would be able to safeguard his home address while living in Plainfield and relocated his family to a remote location from which he commuted to work. In 2009, because his relocation effort had been successful and MS-13 could not locate his new home address, gang members targeted Detective Maldonado's mother instead. They intended to burn down her building with her inside, but set fire to an adjacent building by mistake. Phone calls between MS-13 members discussing the premeditated murder of Detective Maldonado and his family, and the premeditated murder of Detective Maldonado's mother, were intercepted by jail wiretaps. Later in multiple criminal trials, evidence was entered into the record regarding these intercepted conversations and premeditated murders, contributing to numerous successful prosecutions.

18. Plaintiffs Sergeant SCOTT MALONEY (“Sergeant Maloney”) and Officer JUSTYNA MALONEY (“Officer Maloney”) are husband and wife, both veteran police officers currently serving with the Rahway, New Jersey Police Department. They live together in New Jersey with their two young children. In April of 2023, Officer Maloney responded to a routine call of a suspicious individual outside the Motor Vehicle Commission in Rahway. The individual was an online content creator who often solicits police contact and then films himself debating constitutional rights with the responding officers. A subset of the content creator’s audience is vocally anti-police and videos posted to his social media channel have historically been the source of harassment and intimidation campaigns directed at the officers involved. In this case, Officer Maloney and several other responding officers were filmed discussing a number of legal issues with the content creator, including whether or not the content creator was required to take his hands out of his pockets to show that he was unarmed. Overall, the encounter was routine and ended uneventfully.

19. The resulting video footage was selectively edited and posted to YouTube. Almost immediately upon the video being posted, Officer Maloney was targeted by followers of the channel and other individuals who viewed the video. Sergeant Maloney was quickly identified by viewers as Officer Maloney’s husband, and became a target himself, due to their relationship as a married couple and his own status as a police officer. Web links to data broker websites publicly disclosing the Maloney family’s home address and unpublished home telephone numbers were posted along with explicit death threats and calls for violence, resulting in dozens of threatening phone calls and text messages.

20. One of the text messages sent to Sergeant Maloney demanded money and stated that if Sergeant Maloney did not comply then his family would “pay in blood.” The unknown

messenger went on to state that they knew where the Maloneys lived and sent the full name and home address of one of the Maloneys' nearby relatives as proof of the messenger's ability to gather sensitive personal information. Sergeant Maloney refused to comply with any demands. He then received a video of three individuals in ski masks armed with handguns and assault rifles repeating the extortion demand. In part of the video, a masked individual points a rifle at the camera and tells Sergeant Maloney that his family is "going to get [their] heads cut off."

21. Several weeks later, one of the Maloneys' neighbors observed two suspicious looking individuals in ski masks parked one block away from the home and alerted police. Responding officers arrested two men - who were armed - for unlawful possession of a firearm. Video surveillance captured by nearby houses shows the two men circling the Maloneys' house immediately prior to their arrest. Officer Maloney and her two young children were at home at the time.

22. Plaintiff Detective PATRICK COLLIGAN is a 32-year veteran of the Franklin Township police department in Somerset, New Jersey. Since 2014, Detective Colligan has served as the President of the New Jersey State Policemen's Benevolent Association, representing more than 33,000 active law enforcement officers throughout the state. During the course of his law enforcement career, he has received numerous threats of violence targeted at him and his family as a result of his public service. The seriousness of certain threats necessitated the installation of a surveillance camera system and alarm system, and training for his spouse and children about how to respond in the event of an attack on their home.

23. Plaintiff Officer PETER ANDREYEV is a 32-year veteran of the Point Pleasant, New Jersey police department. Officer Andreyev currently services as the Executive Vice President of the New Jersey State Policemen's Benevolent Association, representing more than

33,000 active law enforcement officers throughout the state. During the course of his law enforcement career, he has received numerous threats of violence targeted at him and his family as a result of his public service. Officer Andreyev has counseled many other officers who have been the target of violent threats on ways to protect themselves and their family members from harm. whose protected information has been discovered and has responded to specific incidents where protected information was used by ex-inmates to threaten, harass, or intimidate fellow officers.

24. Plaintiff Officer WILLIAM SULLIVAN is an 18-year veteran of the New Jersey Department of Corrections. Since 2020, Officer Sullivan has served as the President of New Jersey PBA Local 105, the labor union representing thousands of correctional police officers from the New Jersey Department of Corrections, the Juvenile Justice Commission, and State Parole. During the course of his law enforcement career, he has received numerous threats of violence directed at him and his family as a result of his public service. Inmates incarcerated within New Jersey's state prisons frequently attempt to discover the protected information of correctional officers working in their facility. These attempts and the risks posed by such information being accessible on the Internet is a frequent topic of discussion and concern among correctional officers and their family members. Officer Sullivan has counseled many officers whose protected information has been discovered and has responded to specific incidents where protected information was used by ex-inmates to threaten, harass, or intimidate fellow officers.

**Plaintiff Atlas and its Assignors**

25. Plaintiff ATLAS DATA PRIVACY CORPORATION is a Delaware corporation, with offices at 201 Montgomery Street, Suite 263, Jersey City, New Jersey 07302.

26. As permitted under Daniel's Law, Atlas asserts claims against Defendants as the assignee of the claims of approximately 19,251 individuals who are all "covered persons" under Daniel's Law (together, the "Covered Persons"), including a significant number of individuals who are family members of judges, law enforcement officers, and prosecutors.

27. The Covered Persons include individuals who reside, work or had previously resided or worked in New Jersey, and qualify as "covered persons" as that term is defined under Daniel's Law, each of whom have claims against Defendants for failing to comply with Daniel's Law.

28. As set forth in more detail below, the Covered Persons (as well as the Individual Plaintiffs) each exercised their rights under Daniel's Law by sending Defendants a written notice requesting that Defendants cease disclosing or re-disclosing on the Internet or otherwise making available their protected information on one or more of Defendants' websites, mailing lists or through other methods of disclosure.

29. Defendants have not responded to these notices and, upon information and belief, have not complied with the law by ceasing the disclosure or re-disclosure on the Internet or the otherwise making available of protected information as required under Daniel's Law for each of the Covered Persons (as well as each of the Individual Plaintiffs) as required by the law.

30. In accordance with Daniel's Law, each of the Covered Persons has assigned their rights for claims thereunder against Defendants to Atlas.

31. Atlas provides an online platform, including an email service named AtlasMail, to law enforcement officers, prosecutors, judges, and other covered persons. Atlas works with and provides access to its platform to members of the New Jersey State Policemen's Benevolent Association, the Metropolitan Transportation Authority Police Benevolent Association, New

Jersey PBA Local 105, and the New Jersey State Troopers Fraternal Association, among others. The goal of these unions and associations, since the first passage of Daniel's Law in November 2020, was to increase the safety and well-being of their members and associated households by helping those members to understand and assert the rights provided to them by the law.

32. Upon signing up for Atlas, a law enforcement officer or other Covered Person is asked a series of questions to collect required personal information and qualify their eligibility as a Covered Person under Daniel's Law. Once eligibility is confirmed, they are shown a page explaining how the Atlas platform works:

## How Atlas Works

Daniel's Law allows you to send takedown notices to data brokers requesting that they not disclose or redisclose your home address or phone number. Atlas provides you with tools and services to help make the process more efficient.

- 1 We identify data brokers that may be disclosing your personal information.** As of January 2024, our system tracks over 1,000 data brokers who operate in the United States.
- 2 You select the data brokers to whom you want to send takedown notices.** We have lists of data brokers that we recommend, in order to make the selection process easier and more efficient. Alternatively, you can select recipients individually.
- 3 You review takedown notice templates.** AtlasMail provides you with templates for takedown notice emails.
- 4 You send takedown notices.** Your Atlas service includes an AtlasMail email address. You can use this email address to send takedown notices. More information about AtlasMail will be on the next screen.

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33. AtlasMail is an email service operated by Atlas. Upon signing up with Atlas, each law enforcement officer or other Covered Person receives their own AtlasMail account, with a

unique inbox address (e.g. [john.doe23@atlasmail.com](mailto:john.doe23@atlasmail.com)) for their personal use. A description of AtlasMail and more information about how the email service works are provided on a page during the signup process:

## How AtlasMail Works

Daniel's Law allows you to send takedown notices to data brokers requesting that they not disclose or redisclose your sensitive personal information.

Atlas has created an email service, called **AtlasMail**, for its members to use for this purpose.

- ✓ Upon completing this signup process, a new email account will be created for your personal use. It will be:  
**[john.doe23@atlasmail.com](mailto:john.doe23@atlasmail.com)**
- ✓ You can access this email account from within the Atlas web application.
- ✓ This email account belongs to you and you can use it however you want, within certain anti-spam and similar limitations imposed by our terms of service.

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34. Having provided personal information, confirmed their eligibility for Daniel's Law, and progressed through several pages explaining the functions of Atlas as a platform and AtlasMail as an email service, the law enforcement officer or other Covered Person is then presented with a page on which they can review their home addresses and unpublished home telephone numbers, a takedown notice template, and a recommended list of data brokers to send notices to. On this page the law enforcement officer or other Covered Person can choose whether or not to send takedown notices. If they choose not to send takedown notices to the recommended list, they can select

individual recipients at a later page (as shown in the example copied below). Here, each of the Individual Plaintiffs and Covered Persons sent Defendants a takedown notice.

**Data Brokers Included 5**  **Select All**

 <b>PEO</b>	<b>People Data Labs (peopledatalabs.com)</b>	<input type="checkbox"/>
 <b>PEO</b>	<b>People Finder Free (Peoplefinderfree.com)</b>	<input checked="" type="checkbox"/>
 <b>PEO</b>	<b>People Finders (peoplefinders.com)</b>	<input checked="" type="checkbox"/>
 <b>PEO</b>	<b>People Looker (peoplelooker.com)</b>	<input checked="" type="checkbox"/>
 <b>PEO</b>	<b>People Search (peoplesearch.com)</b>	<input checked="" type="checkbox"/>
 <b>PEO</b>	<b>People.ai (people.ai)</b>	<input type="checkbox"/>
 <b>PEO</b>	<b>Peoplebackgroundcheck (people-background-check.com)</b>	<input checked="" type="checkbox"/>

**Cancel** **Save**

By selecting the personal information and data brokers above and clicking "Send Takedowns" below, you will be sending a large volume of takedown notices from your AtlasMail email address [john.doe23@atlasmail.com](mailto:john.doe23@atlasmail.com)

**Send Takedowns**

35. Any reply or response back from a data broker to the law enforcement officer or other Covered Person is received and displayed in their AtlasMail inbox. AtlasMail is a fully featured email service provider, and its users can reply, forward, or use their AtlasMail account as they would any other email account:

## AtlasMail



Search in Mail

ALL MAIL

INBOX

SENT

ASSIGNMENT CONFIRMATIONS

John Doe	Data Subject Request - Redaction/nondisclosure Request	11:40 PM
John Doe	Data Subject Request - Redaction/nondisclosure Request	11:39 PM
John Doe	Data Subject Request - Redaction/nondisclosure Request	11:39 PM
John Doe	Data Subject Request - Redaction/nondisclosure Request	8:29 PM
John Doe	Data Subject Request - Redaction/nondisclosure Request	8:29 PM
John Doe	Data Subject Request - Redaction/nondisclosure Request	8:29 PM
John Doe	Data Subject Request - Redaction/nondisclosure Request	Jan 3
John Doe	Data Subject Request - Redaction/nondisclosure Request	Jan 3
John Doe	Data Subject Request - Redaction/nondisclosure Request	Jan 3
John Doe	Data Subject Request - Redaction/nondisclosure Request	Jan 3

&lt; 1 2 3 4 5 ... 16 &gt;

## Redaction/Nondisclosure Request Confirmation

**To** john.doe23@atlasmail.com  
**From** privacy@exampledatabroker.com  
**Date** Fri, Jan 26, 2024 8:14 PM

Dear John,

Thank you for your redaction/nondisclosure request pursuant New Jersey law P.L. 2023, c.113, P.L.2021, c.371 (as amended, the "Act") and Section 3 of New Jersey P.L.2015, c.226 (C.56:8-166.1) (as amended, "Chapter 226"). We are writing to confirm that Example Data Broker Inc. will honor your request as required by the Act and Chapter 226.

Sincerely,

Example Data Broker Inc.

[Reply](#) [Forward](#)

36. With this lawsuit, Atlas seeks to enforce compliance with Daniel's Law for those Covered Persons. This lawsuit seeks to protect their privacy without unnecessarily putting those individuals in the spotlight. Atlas will work with the Court and Defendants to implement a protective order to then provide Defendants with the assignments and other information for each of the Covered Persons.

### **Defendants**

37. Defendant Epsilon Data Management, LLC is an entity that discloses or re-discloses on the Internet or otherwise makes available the home addresses and/or unpublished home telephone numbers of covered persons.

38. Defendant Conversant LLC is an entity that discloses or re-discloses on the Internet or otherwise makes available the home addresses and/or unpublished home telephone numbers of covered persons.

39. Defendant Citrus Ad International, Inc. is an entity that discloses or re-discloses on the Internet or otherwise makes available the home addresses and/or unpublished home telephone numbers of covered persons.

40. Defendants Richard Roes 1-10 and ABC Companies 1-10 (collectively with the defendants identified above referred to as the “Defendants”) are fictitious names of currently unknown individuals/entities that were also involved with the violations described in this Complaint who have not yet been identified in part due to what appears to be intentional efforts by data brokers to conceal the specific entities involved and responsible for the disclosure of data and information, and individuals responsible for Defendants failures to comply with the law.

41. Defendants offer and engage in the disclosure of data and information through one or more websites, applications, or mailing lists, or otherwise in New Jersey, and to businesses and individuals who operate or reside in New Jersey. Those websites include:

epsilon.com

42. In accordance with Defendants’ business model, visitors, users, or customers may obtain a name and home address and/or a name and unpublished home telephone number (including the name and address and/or unpublished home telephone number of the Individual Plaintiffs and Covered Persons).

43. Daniel’s Law was passed to protect those who serve from the disclosure of this protected information by such services, which disclose such information of the Individual

Plaintiffs and Covered Persons for their own commercial interests, without sufficient regard to the risks and consequences imposed on individuals.

**JURISDICTION AND VENUE**

44. This Court has jurisdiction because the parties reside and/or conduct business in New Jersey, along with the Covered Persons, and the unlawful actions complained of herein occurred in New Jersey.

45. Venue is proper pursuant to R. 4:3-2, in that Monmouth County is the county in which one or more of the parties and/or Covered Persons reside and/or conduct business. In addition, many of the events giving rise to this action occurred in this County.

**FACTS COMMON TO ALL COUNTS**

46. As set forth above, New Jersey enacted Daniel's Law in November 2020 (P.L. 2020, c. 125 *codified as N.J.S.A. 47:1A-1, et seq. and N.J.S.A. 56:8-166.1*).

47. Daniel's Law prohibits data brokers from disclosing or re-disclosing on the Internet or otherwise making available the home addresses or unpublished home telephone numbers of covered persons as defined in the law, upon a written request by those individuals.

48. Upon notification, and no later than 10 business days after receipt, a data broker must not disclose or re-disclose on the Internet or otherwise make available the home addresses or unpublished home telephone numbers of the covered person.

49. This includes a mandate that within 10 business days of receiving a nondisclosure request, the data broker shall not disclose the protected information of the covered person. Disclosure is defined to mean to "solicit, sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, post, publish, distribute, circulate, disseminate, present, exhibit, advertise, or offer, and

shall include making available or viewable within a searchable list or database, regardless of whether a search of such list or database is actually performed."

50. Daniel's Law was amended in 2023, as P.L. 2023, c. 113. The amendment was passed unanimously by the Assembly on May 25, 2023, by the Senate on June 20, 2023, and was thereafter signed by the Governor on July 20, 2023.

51. Certain provisions of the amended law, including changes to N.J.S.A. 56:8-166.1, went into effect immediately.

52. As of July 20, 2023, Daniel's Law as codified in N.J.S.A. 56:8-166.1 provided:<sup>8</sup>

3.a. (1) Upon notification pursuant to paragraph (2) of this subsection, and not later than 10 business days following receipt thereof, a person, business, or association shall not disclose or redisclose on the Internet or otherwise make available, the home address or unpublished home telephone number of any covered person, as defined in subsection d. of this section.

b. A person, business, or association that violates subsection a. of this section shall be liable to the covered person, or the covered person's assignee, who may bring a civil action in the Superior Court.

c. The court shall award:

(1) actual damages, but not less than liquidated damages computed at the rate of \$1,000 for each violation of this act;

(2) punitive damages upon proof of willful or reckless disregard of the law;

(3) reasonable attorney's fees and other litigation costs reasonably incurred; and

(4) any other preliminary and equitable relief as the court determines to be appropriate.

d. For the purposes of this section:

... "Disclose" shall mean to solicit, sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, post,

---

<sup>8</sup> [https://pub.njleg.state.nj.us/Bills/2022/PL23/113\\_.PDF](https://pub.njleg.state.nj.us/Bills/2022/PL23/113_.PDF)

publish, distribute, circulate, disseminate, present, exhibit, advertise or offer, and shall include making available or viewable within a searchable list or database, regardless of whether a search of such list or database is actually performed.”

53. Starting on or about December 30, 2023, each of the Individual Plaintiffs and all of the Covered Persons (who assigned claims to Atlas) sent Defendants written nondisclosure requests (via email) in accordance with Daniel’s Law, using AtlasMail.

54. For example, a true and correct copy of the email directly from Plaintiff Andreyev (with personal information redacted) is pasted here:

**To** privacy@epsilon.com  
**From** Peter Andreyev <[REDACTED]@atlasmail.com>  
**Date** Sun, Dec 31, 2023 10:43 PM

Epsilon  
December 31, 2023

To Whom It May Concern:

I am a “Covered Person” as defined by New Jersey law P.L. 2023, c.113, P.L.2021, c.371 (as amended, the “Act”). Pursuant to the Act and Section 3 of New Jersey P.L.2015, c.226 (C.56:8-166.1) (as amended), I hereby request that you not disclose or re-disclose on the Internet or otherwise make available, the following protected information:

Name: Peter Andreyev

Phone: [REDACTED]

Sincerely,  
Peter Andreyev

55. Defendants failed to respond to these notices and, upon information and belief, cease the disclosure or re-disclosure on the Internet or the otherwise making available of the protected information of the Individuals Plaintiffs and Covered Persons within the time period required by Daniel’s Law.

56. All of the Covered Persons who sent their nondisclosure requests to Defendants (not including the Individual Plaintiffs) have assigned their claims against Defendants to Atlas.

57. The Individual Plaintiffs and Atlas hereby assert claims against Defendants based on their violation of Daniel's Law and continuing refusal to comply with that law.

**COUNT ONE**

**(Daniel's Law)**

58. The allegations of the Complaint set forth above are included herein as if set forth at length.

59. The Individual Plaintiffs and Covered Persons transmitted notice in writing to Defendants requesting that Defendants cease disclosure of their home address and/or unpublished home telephone number and cease its disclosure or re-disclosure on the Internet or wherever Defendants otherwise made it available.

60. Defendants had an obligation under Daniel's Law to comply with the request within ten (10) business days.

61. As of the date of this filing, upon information and belief, Defendants still refuse to comply with Daniel's Law. Upon information and belief, the protected information (including home addresses and/or unpublished home telephone numbers) of the Individual Plaintiffs and the Covered Persons remains "available or viewable within a searchable list or database" or otherwise made available.

62. Upon information and belief, Defendants did not cease the disclosure or re-disclosure on the Internet or the otherwise making available of information as required under Daniel's Law, and their failure in doing so each constitute a separate violation under the law.

63. As a result of Defendants' failures to comply with Daniel's Law, Plaintiffs have suffered damages, and request all available relief.

WHEREFORE, Plaintiffs request that Judgment be entered against Defendants as follows:

- A. Ordering that Defendants immediately comply with Daniel's Law, and cease the disclosure of the Individuals Plaintiffs' and the Covered Persons' names, home addresses, and unpublished home telephone numbers wherever disclosed or re-disclosed on the Internet or otherwise made available;
- B. Awarding actual damages, not less than liquidated damages under Daniel's Law, at "\$1,000 for each violation";
- C. Awarding an additional amount in punitive damages, to be determined by the Court, for "willful noncompliance" as allowed under Daniel's Law;
- D. Awarding reasonable attorneys' fees, interest (pre and post judgment) and litigation costs incurred;
- E. Ordering injunctive relief requiring that Defendants comply with Daniel's Law, and remove the Individual Plaintiffs' and the Covered Persons' protected information wherever disclosed;
- F. Entering equitable or other permanent injunctive relief requiring Defendants to comply with Daniel's law, including the appointment of a qualified independent expert to ensure that Defendants prospectively maintain compliance with Daniel's Law; and
- G. Awarding such other and further relief against Defendants as the Court deems equitable and just.

Respectfully Submitted,

**GENOVA BURNS LLC**

Dated: February 8, 2024

By: /s/ Rajiv D. Parikh

Rajiv D. Parikh  
Kathleen Barnett Einhorn  
494 Broad Street  
Newark, New Jersey 07102  
Tel: (973) 533-0777  
*Attorneys for Plaintiffs*

**BOIES SCHILLER FLEXNER LLP**

Mark C. Mao  
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mmao@bsflp.com  
brichardson@bsflp.com

James Lee  
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Miami, FL 33131  
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Adam Shaw  
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Melissa Zonne  
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Suite 1520  
Los Angeles, CA 90067  
Tel.: (213) 995-5720  
mzonne@bsflp.com  
sparrish@bsflp.com

**MORGAN & MORGAN COMPLEX  
LITIGATION GROUP**

John A. Yanchunis  
Ryan J. McGee  
201 North Franklin Street, 7th Floor  
Tampa, FL 33602  
Tel.: (813) 223-5505  
jyanchunis@ForThePeople.com  
rmcgee@ForThePeople.com

*(pro hac vice motions to be filed)*

**DESIGNATION OF TRIAL COUNSEL**

The Court is advised that pursuant to New Jersey Court Rules 4:5-1(c) and 4:25-4,  
Rajiv D. Parikh, Esq. is hereby designated as trial counsel for Plaintiffs in this matter.

**GENOVA BURNS LLC**

Dated: February 8, 2024

By: /s/ Rajiv D. Parikh

Rajiv D. Parikh, Esq.

**CERTIFICATION PURSUANT TO RULE 4:5-1**

Pursuant to Rule 4:5-1, it is hereby stated that the matter in controversy between the parties hereto is not the subject of any other action pending in any other Court or of a pending arbitration proceeding to the best of my knowledge and belief. Also, to the best of my knowledge and belief, no other action or arbitration proceeding between the parties hereto is contemplated. Further, other than the parties set forth in this pleading and the previous pleadings, if any, at the present time we know of no other parties that should be joined in the within action.

**GENOVA BURNS LLC**

Dated: February 8, 2024

By: /s/ Rajiv D. Parikh

Rajiv D. Parikh, Esq.

**CERTIFICATION PURSUANT TO RULE 1:38-7(b)**

Pursuant to Rule 1:38-7(b), it is hereby stated that all confidential personal identifiers have been redacted from documents now submitted to the Court and will be redacted from all documents submitted in the future.

**GENOVA BURNS LLC**

Dated: February 8, 2024

By: /s/ Rajiv D. Parikh

Rajiv D. Parikh, Esq.

MONMOUTH COUNTY  
SUPERIOR COURT  
PO BOX 1270  
FREEHOLD NJ 07728

## TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (732) 358-8700  
COURT HOURS 8:30 AM - 4:30 PM

DATE: FEBRUARY 08, 2024  
RE: ATLAS DATA PRIVACY C ORPORATIO VS EPSILON DATA M  
DOCKET: MON L -000533 24

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 1.

DISCOVERY IS 150 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS  
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON STACEY D. ADAMS

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 003  
AT: (732) 358-8700 EXT 87549.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A  
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.  
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE  
WITH R.4:5A-2.

## ATTENTION:

ATT: RAJIV D. PARIKH  
GENOVA BURNS LLC  
494 BROAD ST 6TH FL  
NEWARK NJ 07102

ECOURTS

## Civil Case Information Statement

### Case Details: MONMOUTH | Civil Part Docket# L-000533-24

**Case Caption:** ATLAS DATA PRIVACY C ORPORATIO VS  
EPSILON DATA M

**Case Initiation Date:** 02/08/2024

**Attorney Name:** RAJIV D PARIKH

**Firm Name:** GENOVA BURNS LLC

**Address:** 494 BROAD ST 6TH FL

NEWARK NJ 07102

**Phone:** 9735330777

**Name of Party:** PLAINTIFF : ATLAS DATA PRIVACY  
CORPORATION

**Name of Defendant's Primary Insurance Company**  
(If known): Unknown

**Case Type:** OTHER Daniel's Law

**Document Type:** Complaint

**Jury Demand:** NONE

**Is this a professional malpractice case?** NO

**Related cases pending:** NO

**If yes, list docket numbers:**

**Do you anticipate adding any parties (arising out of same  
transaction or occurrence)?** NO

**Does this case involve claims related to COVID-19?** NO

**Are sexual abuse claims alleged by: ATLAS DATA PRIVACY  
CORPORATION?** NO

**Are sexual abuse claims alleged by: JANE DOE 1?** NO

**Are sexual abuse claims alleged by: JANE DOE 2?** NO

**Are sexual abuse claims alleged by: EDWIN MALDONADO?** NO

**Are sexual abuse claims alleged by: JUSTYNA MALONEY?** NO

**Are sexual abuse claims alleged by: SCOTT MALONEY?** NO

**Are sexual abuse claims alleged by: PETER ANDREYEV?** NO

**Are sexual abuse claims alleged by: PATRICK COLLIGAN?** NO

**Are sexual abuse claims alleged by: WILLIAM SULLIVAN?** NO

### THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

**Do parties have a current, past, or recurrent relationship?** NO

**If yes, is that relationship:**

**Does the statute governing this case provide for payment of fees by the losing party?** NO

**Use this space to alert the court to any special case characteristics that may warrant individual  
management or accelerated disposition:**

**Do you or your client need any disability accommodations? NO**  
**If yes, please identify the requested accommodation:**

**Will an interpreter be needed? NO**  
**If yes, for what language:**

**Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO  
Medical Debt Claim? NO**

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

02/08/2024  
Dated

/s/ RAJIV D PARIKH  
Signed

# **Exhibit D**



Genova Burns LLC  
494 Broad Street, Newark, NJ 07102  
Tel: 973.533.0777 Fax: 973.814.4045  
Web: [www.genovaburns.com](http://www.genovaburns.com)

Rajiv D. Parikh, Esq.  
Partner  
Member of NJ and NY Bars  
[rparikh@genovaburns.com](mailto:rparikh@genovaburns.com)  
Direct: 973-535-4446

February 20, 2024

**VIA PROCESS SERVER**

Epsilon Data Management, LLC  
c/o C T Corporation System  
7700 E Arapahoe Rd Ste 220  
Centennial, CO 80112

**Re: Atlas Data Privacy Corp. v. Epsilon Data Management, LLC, et al.,**  
**Docket No.: MON-L-000533-24**

Dear Sir/Madam:

This firm represents plaintiffs with regard to the above-referenced matter. Enclosed for service pursuant to the Rules of Court, please find the following:

1. Summons;
2. Document Preservation Notice;
3. First Request for the Production of Documents;
4. First Set of Interrogatories;
5. Complaint;
6. Track Assignment Notice;
7. Case Information Sheet.

Please be guided accordingly.

Very truly yours,

**GENOVA BURNS LLC**

s/ Rajiv D. Parikh  
RAJIV D. PARIKH

RDP:dmc  
Enc.

**GENOVA BURNS LLC**

Rajiv D. Parikh, Esq. (032462005)  
Kathleen Barnett Einhorn, Esq. (040161992)  
494 Broad Street  
Newark, New Jersey 07102  
Tel.: (973) 533-0777  
[rparikh@genovaburns.com](mailto:rparikh@genovaburns.com)  
[keinhorn@genovaburns.com](mailto:keinhorn@genovaburns.com)

*Attorneys for Plaintiffs*

**ATLAS DATA PRIVACY CORPORATION,  
as assignee of individuals who are Covered  
Persons, et al.,**

Plaintiffs,

v.

**EPSILON DATA MANAGEMENT, LLC,  
CONVERSANT LLC, CITRUS AD  
INTERNATIONAL, INC., RICHARD ROES  
1-10, fictitious names of unknown individuals  
and ABC COMPANIES 1-10, fictitious  
names of unknown entities,**

Defendants.

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH COUNTY  
DOCKET NO.: MON-L-000533-24**

**CIVIL ACTION**

**SUMMONS**

**FROM THE STATE OF NEW JERSEY TO:**

**To the Defendants Named Above:**

The plaintiffs named above (and identified in the enclosed Complaint) have filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at <http://www.njcourts.gov>.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A

telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages, or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal services Offices and Lawyer Referral services is available in the Civil Division Management Office in the county listed above and online at <http://www.njcourts.gov>.

*/s/ Michelle M. Smith*  
MICHELLE M. SMITH, ESQ.  
Clerk of the Superior Court

Dated: February 20, 2024

Name and Address of Defendants to be Served:

Epsilon Data Management, LLC  
c/o C T Corporation System  
7700 E Arapahoe Rd Ste 220  
Centennial, CO 80112



**GENOVA  
BURNS**  
ATTORNEYS·AT·LAW

Genova Burns LLC  
494 Broad Street, Newark, NJ 07102  
Tel: 973.533.0777 Fax: 973.814.4045  
Web: [www.genovaburns.com](http://www.genovaburns.com)

Rajiv D. Parikh, Esq.  
Partner  
Member of NJ and NY Bars  
[rparikh@genovaburns.com](mailto:rparikh@genovaburns.com)  
Direct: 973-535-4446

February 20, 2024

**Epsilon Data Management, LLC**  
c/o C T Corporation System  
7700 E Arapahoe Rd Ste 220  
Centennial, CO 80112

**Re: Atlas Data Privacy Corp. v. Epsilon Data Management, LLC, et al.,  
Docket No.: MON-L-000533-24 – Document Preservation Notice**

We represent Atlas Data Privacy Corporation and the Individual Plaintiffs (“Plaintiffs”) identified in the enclosed complaint (“Complaint”) and summons asserting claims under Daniel’s Law, P.L. 2023, c. 113 (N.J.S.A. 56:8-166.1), against the named defendants (“the Defendants”).

The purpose of this letter (the “Notice”) is to remind Defendants of their present and ongoing obligations to preserve and retain all materials potentially relevant to any of the allegations made by Plaintiffs in the Complaint (the “Dispute”).

This includes without limitation hard copies and electronically stored information (“ESI”), such as emails, text messages, messages on instant messaging platforms, and materials stored in or transferred via cloud storage.

This document preservation notice should be read broadly consistent with Defendants’ obligations under Rule 4:18-1 and all other applicable rules governing preservation and discovery.

Pursuant to Defendants’ preservation obligations, Defendants must immediately take steps to preserve all hard copy documents and ESI relevant to the Dispute, including without limitation:

- (a) suspending Defendants’ data destruction and backup tape recycling policies;
- (b) suspending any overwriting or update processes related to any ESI unless a copy of each version is maintained;
- (c) preserving relevant software, including legacy software (unless an exact copy or mirror image is made and stored) and hardware that is no longer in service but was in service during any part of the relevant time period (back to the



Epsilon Data Management, LLC

February 20, 2024

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enactment of Daniel's Law), and CVS source or other version control repositories;

- (d) retaining and preserving necessary information to access, review and reconstruct (if necessary) relevant electronic data, including identification codes and passwords, decryption applications, decompression software, reconstruction software, network access codes, manuals, and user instructions;
- (e) retaining and preserving all ESI related to the Dispute on personal devices (including for example and without limitation computers, phones, and tablets used by Defendants' employees, contractors, and agents);
- (f) retaining and preserving all Slack, WhatsApp, Viber, Signal, Telegram, and other instant messages and chats (including without limitation changing default settings on instant message programs to ensure those records are preserved);
- (g) any other reasonable steps necessary to prevent the destruction, loss, override or modification of relevant data either intentionally or inadvertently, such as through implementation of Defendants' document retention policies

This list is not exhaustive, and Defendants have independent obligations to identify and preserve all relevant information. All ESI must be preserved intact and without modification.

The following is a non-exhaustive list of relevant information that should be preserved (with documents defined broadly to include without limitation all communications, including emails, text messages, and other communications):

- All documents concerning any of the allegations in the Complaint.
- All documents concerning Daniel's Law.
- All documents concerning Atlas.
- All documents concerning any of the Individual Plaintiffs.
- All documents concerning this litigation.
- All documents concerning any Daniel's Law Requests (as defined in N.J.S.A. 56:8-166.2).



Epsilon Data Management, LLC

February 20, 2024

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- All documents concerning Defendants' receipt of any Daniel's Law Requests.
- All documents concerning Defendants' response to any Daniel's Law Requests.
- All documents concerning Defendants' analysis of any Daniel's Law Requests.
- All documents concerning the disclosure of any home address and/or unpublished home telephone numbers, including without limitation on the website(s) identified in the Complaint after the receipt of any Daniel's Law Requests.
- All documents concerning Defendants' compliance process in connection with any Daniel's Law Requests, including Defendants' failure to comply.

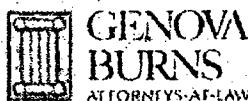
This preservation should include all data and records relevant to assessing Defendants' compliance with Daniel's Law following the receipt of any Daniel's Law Requests, including for example data and records demonstrating any Defendant (or other responsible entity or individual) disclosing or re-disclosing on the Internet (including without limitation with the identified website(s)) or otherwise making available the home address and/or unpublished home telephone numbers of any person who sent any Daniel's Law Request. Plaintiffs expect that Defendants will preserve data and records concerning each and every violation of Daniel's Law, both for purposes of calculating statutory damages and for purposes of evaluating injunctive relief.

This list is not exhaustive, and Defendants each must conduct an investigation and preserve all information potentially relevant to the Dispute, including all information from any individual who has documents potentially relevant to the Dispute.

Defendants must also take reasonable steps to preserve all hard copy documents and ESI relevant to the Dispute that are not in their possession but are in their custody or control. Documents and ESI in the possession of non-parties that is within Defendants' custody or control must also be preserved intact and without modification.

Preservation of ESI includes preservation not only of the electronic information itself (whether stored online, offline, in a cloud-based server or in other electronic storage, or on any computers, handheld devices, tablets, cell phones or other devices, whether or not in Defendants' possession), but also of relevant related data, including without limitation:

- (a) active, archived and deleted copies of electronic information, such as e-mails, voicemails, text messages, instant messages (for example, Slack



Epsilon Data Management, LLC

February 20, 2024

Page 4

messages), calendars, diaries, word processing files, spreadsheets, PDFs, JPEGs, PowerPoint presentations, Google Drive files, Dropbox files, videoconferencing (e.g., Zoom) recordings and files, temporary internet files, cookies, and ZIP files, among others;

- (b) databases, including Dropbox, Box, Planbox, Visual Studio Team Services, Amazon RDS, Google Cloud, Microsoft Access or Azure, and SQL systems;
- (c) metadata about the electronically stored information, including the date that it was created and last modified, and the individual(s) that created and modified it.

This list is not exhaustive, and Defendants must preserve all information potentially relevant to the Dispute. Defendants' failure to preserve relevant ESI may constitute spoliation of evidence and subject Defendants to monetary and other sanctions. Plaintiffs reserve all rights in connection with any spoliation by Defendants. We trust that Defendants will preserve all relevant hard copy documents and ESI for the duration of the Dispute.

Please also maintain records of Defendants' efforts to comply with their preservation obligations. If a dispute arises out of Defendants' failure to preserve documents, Plaintiffs will rely on this letter as evidence of their request and reminder of Defendants' preservation obligations.

Thank you for your cooperation. If you have questions, please contact me.

Sincerely,

**GENOVA BURNS LLC**

*s/ Rajiv D. Parikh*

**RAJIV D. PARIKH**

RDP:dmc  
enc.

**GENOVA BURNS LLC**

Rajiv D. Parikh, Esq. (032462005)  
Kathleen Barnett Einhorn, Esq. (040161992)  
494 Broad Street  
Newark, New Jersey 07102  
(973) 533-0777  
[rparikh@genovaburns.com](mailto:rparikh@genovaburns.com)  
[keinhorn@genovaburns.com](mailto:keinhorn@genovaburns.com)

*Attorneys for Plaintiffs*

**ATLAS DATA PRIVACY CORPORATION,  
as assignee of individuals who are Covered  
Persons, et al.,**

Plaintiffs,

v.

**EPSILON DATA MANAGEMENT, LLC,  
CONVERSANT LLC, CITRUS AD  
INTERNATIONAL, INC., RICHARD ROES  
1-10, fictitious names of unknown individuals  
and ABC COMPANIES 1-10, fictitious  
names of unknown entities,**

Defendants.

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
DOCKET NO.: MON-L-000533-24**

**CIVIL ACTION**

**PLAINTIFFS' FIRST REQUEST TO  
DEFENDANT FOR PRODUCTION OF  
DOCUMENTS**

TO: **EPSILON DATA MANAGEMENT, LLC**

PLEASE TAKE NOTICE that the undersigned, attorneys for plaintiffs, hereby demands that each Defendant produce and/or permit Plaintiffs or someone acting on Plaintiffs' behalf to inspect and copy the following designated documents at the offices of Genova Burns LLC, within the manner and within the time prescribed by the Rules of Court of the State of New Jersey.

**GENOVA BURNS LLC**  
*Attorneys for Plaintiffs*

By: /s/ Rajiv D. Parikh  
Rajiv D. Parikh

DATED: February 20, 2024

**INSTRUCTIONS**

A. If you assert a privilege or work-product immunity as a ground for non-production of any document requested, please produce all documents over which you are not asserting any such privilege or immunity, and in addition, set forth as to each document over which a privilege is claimed:

- (1) the date of the document;
- (2) the type of document (e.g., letter, memorandum, chart, etc.);
- (3) the names and addresses of all authors and recipients of the document and the employer and business or legal title of each author or recipient;
- (4) a detailed explanation of why the privilege or immunity is deemed applicable, including sufficient facts for the Court to make a full determination of whether your assertion is valid; and
- (5) the present location of the document and the name and address of its custodian.

B. This Request for Production shall be deemed continuing so as to require supplemental responses if you obtain or discover additional documents between the time your responses are served and the time of trial.

C. In producing documents in compliance with this Request, produce all documents which are available to you, including documents in the custody, possession or control of your attorney or investigators for your attorney, and not merely such documents known to exist to your own personal knowledge. If you do not comply in full with the following Request for Production due to the non-existence of the documents(s) sought, so state in writing, specifying the reason for your inability to produce such documents(s).

D. In producing documents in compliance with this Request, collate and identify each

document by the numbered Request(s) for Production to which each document is produced. If any particular document produced is responsive to more than one numbered Request for Production, identify each numbered Request to which said document is responsive.

#### DEFINITIONS

A. "And" and "or" as used herein shall have the same meaning, that is, the disjunctive meaning of "or." The listing of terms separated by commas, semi-colons, the word "and" or the word "or" shall be deemed to require a response to each and every term listed.

B. "Atlas" means Atlas Data Privacy Corporation ("Atlas") who is a Plaintiff and assignee of individuals who are covered persons under Daniel's Law as further alleged in the Complaint.

C. "Daniel's Law" means the law enacted in November 2020 (P.L. 2020, c. 125 *codified in N.J.S.A. 47:1A-1, et seq. and N.J.S.A 56:8-166.1*), which prohibits online data brokers from selling, publishing, and distributing the name and address of current and former judges, law enforcement officers, and prosecutors and their eligible family members (i.e., "covered persons"), upon any written request by the covered person.

D. "Daniel's Law Request" means any request pursuant to Daniel's Law (N.J.S.A. 56:8-166.2) to refrain from disclosing, re-disclosing, or otherwise making available protected information and/or remove protected information from the Internet or where otherwise made available.

E. "Defendant" refers to each and every defendant identified in the Complaint and shall also include any and all agents, officers, directors, attorneys, employees, contractors, predecessors in interest, parents, subsidiaries, affiliates, assigns, successors, and representatives of any/all of them, or other persons acting on its respective or collective behalf.

F. "Describe," "set forth" and "state" all mean to state the substance of the event,

circumstances, facts, communications, representation, conversation, meeting, transaction, occasion or other occurrence in question; the date, time, place and identity of all persons present thereat or participating therein; that which each such person said and did; the approximate duration of such occurrence; the method or means of communications employed; the identity of all documents relating thereto; and the identity of all persons having knowledge of such occurrence; as well as the date and means when and whereby such knowledge was first acquired, setting forth the underlying facts rather than ultimate conclusions.

G. "Document" or "documents" means the original and any identical or non-identical copy, regardless of origin or location, of any written, reported, filmed, magnetically stored, or graphic matter, or record of any type or description, whether produced, reproduced or producible on paper, cards, tapes, film, electronic facsimile, computer storage devices, or any other media, including but not limited to emails, memoranda, notes, minutes, records, photographs, computer programs, correspondence, telegrams, diaries, bookkeeping entries, specifications, source code, object code, flow charts, financial statement, charts, studies, reports, graphs, statements, notebooks, handwritten notes, applications, feasibility studies, agreements, books, pamphlets, periodicals, appointment calendars, notes, records and recordings of oral conversations, work papers, and also including but not limited to, originals and all copies which are different in any way from the original, whether by interlineation, receipt stamp, notation, indication of copy sent or received, or otherwise, and drafts, which are in the possession, custody or control of the present or former agents, officers, directors, representatives, employees, or attorneys of Defendant, or all persons acting on Defendant's behalf, including documents at any time in the possession, custody or control of such individuals or entities who are known by Defendant to exist. Include also any catalog, brochure or any other data compilations from which information can be obtained and translated if necessary, or any other written, recorded, stored, transcribed, punched, taped, filed or

graphic matter however produced or reproduced, to which Defendant has or have had access.

H. "Identify," or "identification" mean, when used in reference to:

- (1) a natural person, his or her:
  - (a) full name;
  - (b) present or last known home address (including street name and number, city or town, state, zip code, and telephone number);
  - (c) present or last known business address (including street name and number, city or town, state, zip code, and telephone number);
  - (d) present or last known occupation, position, business affiliation, and job description;
  - (e) occupation, position, business affiliation, and job description at the time relevant to the particular interrogatory being answered.
- (2) a company, corporation, association, partnership or legal entity other than a natural person:
  - (a) its full name;
  - (b) a description of the type of organization or entity;
  - (c) the full address (including street name and number, city or town, state, zip code, and telephone number) of its principal place of business;
  - (d) the jurisdiction of incorporation or organization.
- (3) a document:
  - (a) its description (for example, letter, memorandum, report);
  - (b) its title (e.g., letter, memorandum, telegram, chart, etc.)
  - (c) its date;

- (d) the number of pages thereof;
- (e) its subject;
- (f) the identity of its author, signatory or signatories, and any person who participated in its preparation;
- (g) the identity of its addressee or recipient;
- (h) the identity of each person to whom copies were sent and each person by whom copies were received;
- (i) its present location; and
- (j) the identity of its present custodian.

(If any such document was, but is no longer, in the possession of or subject to the control of Defendant, state what disposition was made of it and when).

- (4) a communication or statement:
  - (a) the date and time when it occurred;
  - (b) the place where it occurred;
  - (c) the complete substance of the communication;
  - (d) the identity of each person; (1) to whom such communication was made; (2) by whom such communication was made; and (3) who was present when such communication was made;
  - (e) if by telephone: (1) the identity of each person: (i) who made each telephone call; and (ii) who participated in each call; and (2) the place where each person participating in the telephone call was located;
  - (f) the identity of all documents memorializing, referring to or

relating in any way to the subject of the communication.

I. "Individual Plaintiffs" means the Plaintiffs identified in the Complaint other than Atlas and shall include any and all agents, officers, directors, attorneys, employees, and other persons acting on its behalf.

J. "Plaintiff" means the Plaintiffs identified in the Complaint and shall include any and all agents, officers, directors, attorneys, employees, and other persons acting on its behalf.

K. "Person" means a natural person, firm, proprietorship, association, partnership, corporation or any other type of organization or entity.

L. "You" and "Your" refers to each Defendant responding to these requests, with the term Defendant broadly defined above.

**REQUESTS FOR PRODUCTION OF DOCUMENTS**

1. Any and all documents concerning any of the allegations in the Complaint.
2. Any and all documents concerning Daniel's Law.
3. Any and all documents concerning Atlas.
4. Any and all documents concerning any of the Individual Plaintiffs.
5. Any and all documents concerning this litigation.
6. Any and all documents concerning any Daniel's Law Requests.
7. Any and all documents concerning Defendants' receipt of any Daniel's Law Requests.
8. Any and all documents concerning Defendants' response to any Daniel's Law Requests.
9. Any and all documents concerning Defendants' analysis of any Daniel's Law Requests.
10. Any and all communications and documents regarding communications with any of the Individual Plaintiffs, Atlas, or any other Covered Person.
11. Any and all documents concerning the disclosure of any home address and/or unpublished home telephone numbers, including without limitation on the website(s) identified in the Complaint after the receipt of any Daniel's Law Requests.
12. Any and all documents concerning Defendants' compliance process in connection with any Daniel's Law Requests, including Defendants' failure to comply.

**GENOVA BURNS LLC**  
*Attorneys for Plaintiffs*

By: /s/ Rajiv D. Parikh  
Rajiv D. Parikh

DATED: February 20, 2024

**CERTIFICATION**

I hereby certify on behalf of \_\_\_\_\_ that I have reviewed the document production requests and that I have made or caused to be made a good faith search for documents responsive to the requests. I further certify that as of this date, to the best of my knowledge and information, the production is complete and accurate based on ( ) my personal knowledge and/or ( ) information provided by others. I acknowledge my continuing obligation to make good faith effort to identify additional documents that are responsive to the request and to promptly serve a supplemental written response and production of such documents, as appropriate, as I become aware of them.

---

**DATED:**

**GENOVA BURNS LLC**  
Rajiv D. Parikh, Esq. (032462005)  
Kathleen Barnett Einhorn, Esq. (040161992)  
494 Broad Street  
Newark, New Jersey 07102  
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[rparikh@genovaburns.com](mailto:rparikh@genovaburns.com)  
[keinhorn@genovaburns.com](mailto:keinhorn@genovaburns.com)

*Attorneys for Plaintiffs*

**ATLAS DATA PRIVACY CORPORATION,  
as assignee of individuals who are Covered  
Persons, et al.,**

Plaintiffs,

v.

**EPSILON DATA MANAGEMENT, LLC,  
CONVERSANT LLC, CITRUS AD  
INTERNATIONAL, INC., RICHARD ROES  
1-10, fictitious names of unknown individuals  
and ABC COMPANIES 1-10, fictitious  
names of unknown entities,**

Defendants.

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
DOCKET NO.: MON-L-000533-24**

**CIVIL ACTION**

**PLAINTIFFS' FIRST SET OF  
INTERROGATORIES**

TO: **EPSILON DATA MANAGEMENT, LLC**

**PLEASE TAKE NOTICE** that the undersigned attorneys for Plaintiffs hereby request that  
Defendants answer the following Interrogatories within the manner and within the time prescribed  
by the Rules of this Court of the State of New Jersey.

**GENOVA BURNS LLC**  
*Attorneys for Plaintiffs*

By: /s/ Rajiv D. Parikh  
Rajiv D. Parikh

DATED: February 20, 2024

**INSTRUCTIONS**

A. If any Interrogatory is not answered in full, state the precise reason for failing to complete the answer. If a legal objection is made with respect to any Interrogatory, you should set forth the specific reasons for such objection. If your response to all or part of any Interrogatory is incomplete or not known at the time your initial response is made, please (a) include an explicit statement to that effect in your response, designating that it is incomplete and providing the reasons or grounds for any omissions or refusals or inabilitys to complete the response; (b) furnish the information that is known or available; and (c) respond to the Interrogatory by amended or supplemental response in writing under oath within 20 days of the date on which the supplemental information becomes known or available.

B. If you are withholding information requested by any Interrogatory or any portion of an Interrogatory upon a claim that it is privileged or subject to protection as trial preparation material, pursuant to R. 4:10-2(e), make the claim expressly in your written response, identifying the privilege or protection you are claiming, and provide sufficient information about the documents, communications, information, or other items not produced or disclosed in a manner that, without revealing information itself privileged or protected, will enable all parties to assess the applicability of the privilege or protection, including identifying the following information in a separate privilege log:

- (1) the nature of the privilege or protection claimed;
- (2) a statement of the basis for the claim of privilege or protection;
- (3) whether, as to the information requested, (i) any document exists, and/or (ii) any oral communications took place;
- (4) a description of the document, oral communication, or other item/information, including:

(a) For documents: (i) the type of document, e.g., letter or memorandum or e-mail; (ii) the general subject matter of the document, and in the case of any document relating or referring to a meeting or conversation, identification of such meeting or conversation; (iii) the date of the document; (iv) the author of the document, the addressees of the document, and any other recipients, including each person who was sent or shown blind or carbon copies of the such, or has had access to or custody of such, and, where not apparent, the relationship of the author, addressees, and recipients to each other; and (v) the number of pages, attachments, and appendices;

(b) For oral communications: (i) the name of the person making the communication and the names of persons present while the communication was made and, where not apparent, the relationship of the persons present to the person making the communication; (ii) the date and place of communication; and (iii) the general subject matter of the communication; and

(c) The present custodian of the document, oral communication, or other item/information.

C. In answering these interrogatories, furnish all information which is available to you, including non-privileged information in the possession of your attorneys, representatives, or investigators for your attorneys, and not merely such information known of your personal knowledge. If you cannot answer the following Interrogatories in full after exercising due diligence to secure the information to do so, so state and answer to the extent possible, specifying your inability to answer the remainder and stating whatever information or knowledge you have concerning the unanswered portions. This means:

(1) When answering the following Interrogatories, provide any and all

information either in your possession, under your control, within your dominion, or available to you, regardless of whether this information is in your personal possession, or is possessed by your agents, servants, employees, independent contractors, representatives, or others with whom you have or had a relationship and are capable of deriving information, documents, or materials; and

(2) If you do not have personal knowledge of the information contained in any of your answers to the below Interrogatories, you should state that your answer is not verified by personal knowledge and identify the person(s) from whom the information was obtained or, if the source of the information is documentary, provide a full description of the documents, including the location thereof.

D. If any answers to these Interrogatories are made based on information that was not within your personal knowledge, provide the name and address of every person from whom you received such information.

E. Where an interrogatory calls for identification of any paper, you are to attach a copy of such paper to your answers to these Interrogatories in addition to providing a written response to the Interrogatory, pursuant to R. 4:17-4, and you are to provide an explicit reference to each Interrogatory to which each document(s) is responsive.

F. These Interrogatories are to be continuing until the date of trial and any information secured subsequent to the filing of your answers, which would have been included in the answers had it been known or available, is required to be supplied by filing further and supplemental answers.

G. Pursuant to R. 4:17-7, if you obtain information that renders your answers to these interrogatories incomplete or inaccurate, you must serve amended answers not later than twenty (20) days prior to the end of the discovery period.

H. The fact that another party produced information requested in any particular Interrogatory, or that the requested information or similar or identical information is available from another source, or that the requesting party already has knowledge of the matter on which it is seeking discovery, does not relieve Plaintiff of his obligation to produce his response to each Interrogatory herein.

**DEFINITIONS**

A. "And" and "or" as used herein shall have the same meaning, that is, the disjunctive meaning of "or." The listing of terms separated by commas, semi-colons, the word "and" or the word "or" shall be deemed to require a response to each and every term listed.

B. "Atlas" means Atlas Data Privacy Corporation ("Atlas") who is a Plaintiff and assignee of individuals who are covered persons under Daniel's Law as further alleged in the Complaint.

C. "Daniel's Law" means the law enacted in November 2020 (P.L. 2020, c. 125 codified in N.J.S.A. 47:1A-1, et seq. and N.J.S.A 56:8-166.1), which prohibits online data brokers from selling, publishing, and distributing the name and address of current and former judges, law enforcement officers, and prosecutors and their eligible family members (i.e., "covered persons"), upon any written request by the covered person.

D. "Daniel's Law Requests" means any request pursuant to Daniel's Law (N.J.S.A. 56:8-166.2) to refrain from disclosing, re-disclosing, or otherwise making available protected information and/or remove protected information from the Internet or where otherwise made available.

E. "Defendant" refers to any defendant Identified in the Complaint and shall include any and all agents, officers, directors, attorneys, employees, contractors, predecessors in interest, parents, subsidiaries, affiliates, assigns, successors, and representatives of any/all of them, or other

persons acting on its respective or collective behalf.

F. "Describe," "set forth" and "state" all mean to state the substance of the event, circumstances, facts, communications, representation, conversation, meeting, transaction, occasion or other occurrence in question; the date, time, place and identity of all persons present thereat or participating therein; that which each such person said and did; the approximate duration of such occurrence; the method or means of communications employed; the identity of all documents relating thereto; and the identity of all persons having knowledge of such occurrence; as well as the date and means when and whereby such knowledge was first acquired, setting forth the underlying facts rather than ultimate conclusions.

G. "Document" or "documents" means the original and any identical or non-identical copy, regardless of origin or location, of any written, reported, filmed, magnetically stored, or graphic matter, or record of any type or description, whether produced, reproduced or producible on paper, cards, tapes, film, electronic facsimile, computer storage devices, or any other media, including but not limited to emails, memoranda, notes, minutes, records, photographs, computer programs, correspondence, telegrams, diaries, bookkeeping entries, specifications, source code, object code, flow charts, financial statement, charts, studies, reports, graphs, statements, notebooks, handwritten notes, applications, feasibility studies, agreements, books, pamphlets, periodicals, appointment calendars, notes, records and recordings of oral conversations, work papers, and also including but not limited to, originals and all copies which are different in any way from the original, whether by interlineation, receipt stamp, notation, indication of copy sent or received, or otherwise, and drafts, which are in the possession, custody or control of the present or former agents, officers, directors, representatives, employees, or attorneys of Defendant, or all persons acting on Defendant's behalf, including documents at any time in the possession, custody or control of such individuals or entities who are known by Defendant to exist. Include also any

catalog, brochure or any other data compilations from which information can be obtained and translated if necessary, or any other written, recorded, stored, transcribed, punched, taped, filed or graphic matter however produced or reproduced, to which Defendant has or have had access.

H. "Identify," or "identification" mean, when used in reference to:

- (1) a natural person; his or her:
  - (a) full name;
  - (b) present or last known home address (including street name and number, city or town, state, zip code, and telephone number);
  - (c) present or last known business address (including street name and number, city or town, state, zip code, and telephone number);
  - (d) present or last known occupation, position, business affiliation, and job description;
  - (e) occupation, position, business affiliation, and job description at the time relevant to the particular interrogatory being answered.
- (2) a company, corporation, association, partnership or legal entity other than a natural person:
  - (a) its full name;
  - (b) a description of the type of organization or entity;
  - (c) the full address (including street name and number, city or town, state, zip code, and telephone number) of its principal place of business;
  - (d) the jurisdiction of incorporation or organization.
- (3) a document:
  - (a) its description (for example, letter, memorandum, report);

- (b) its title (e.g., letter, memorandum, telegram, chart, etc.)
- (c) its date;
- (d) the number of pages thereof;
- (e) its subject;
- (f) the identity of its author, signatory or signatories, and any person who participated in its preparation;
- (g) the identity of its addressee or recipient;
- (h) the identity of each person to whom copies were sent and each person by whom copies were received;
- (i) its present location; and
- (j) the identity of its present custodian.

(If any such document was, but is no longer, in the possession of or subject to the control of Defendant, state what disposition was made of it and when).

- (4) a communication or statement:
  - (a) the date and time when it occurred;
  - (b) the place where it occurred;
  - (c) the complete substance of the communication;
  - (d) the identity of each person; (1) to whom such communication was made; (2) by whom such communication was made; and (3) who was present when such communication was made;
  - (e) if by telephone: (1) the identity of each person: (i) who made each telephone call; and (ii) who participated in each call; and (2) the place where each person participating in the telephone call

was located;

(f) the identity of all documents memorializing, referring to or relating in any way to the subject of the communication.

I. "Individual Plaintiffs" means the Plaintiffs identified in the Complaint other than Atlas and shall include any and all agents, officers, directors, attorneys, employees, and other persons acting on its behalf.

J. "Plaintiff" means the Plaintiffs identified in the Complaint and shall include any and all agents, officers, directors, attorneys, employees, and other persons acting on its behalf.

K. "Persons" means a natural person, firm, proprietorship, association, partnership, corporation or any other type of organization or entity.

L. "You" and "Your" refers to each Defendant responding to these interrogatories, with the term Defendant broadly defined above.

**INTERROGATORIES**

1. Please provide detailed information regarding all persons (including all companies and individuals, with contact information) that since receiving any Daniel's Law Request have had any ownership, controlling interest, or agency over each of the websites listed in Plaintiffs' Complaint.
2. Please identify every source of home addresses and/or unpublished home telephone numbers that you own, have a controlling interest in, or otherwise have any agency over, including without limitation all such Internet websites (by name and URL) and any other way in which such information is made available.
3. Please describe in detail all ways in which you have obtained (and in the future obtain) and have disclosed or made available (and in the future disclose or make available) any home addresses or unpublished home telephone numbers, including without limitation by identifying all upstream and downstream sources and recipients of such data including, but not limited to any websites, URLs, databases, entities, and individuals.

**CERTIFICATION**

I hereby certify that the foregoing answers to answers to interrogatories are true. I am aware that if any of the following statements made by me are willfully false, I am subject to punishment.

I hereby certify that the copies of any documents annexed hereto and provided herein are exact copies; that the existence of any other documents are unknown to me, and if such become later known or available, I shall serve them promptly on the propounding party.

**DATED:**

**GENOVA BURNS LLC**

Rajiv D. Parikh (032462005)  
Kathleen Barnett Einhorn (040161992)  
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*Attorneys for Plaintiff's Atlas Data Privacy Corporation, Jane Doe-1, a law enforcement officer, Jane Doe-2, a law enforcement officer, Edwin Maldonado, Scott Maloney, Justyna Maloney, Patrick Colligan, Peter Andreyev and William Sullivan*

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ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, JANE DOE-1, a law enforcement officer, JANE DOE-2, a law enforcement officer, EDWIN MALDONADO, SCOTT MALONEY, JUSTYNA MALONEY, PATRICK COLLIGAN, PETER ANDREYEV, and WILLIAM SULLIVAN,*

Plaintiffs,

v.

EPSILON DATA MANAGEMENT, LLC,  
CONVERSANT LLC, CITRUS AD INTERNATIONAL, INC., RICHARD ROES 1-10, *fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,*

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH COUNTY  
DOCKET NO.: MON-L-\_\_\_\_\_ -24

**CIVIL ACTION**

**COMPLAINT**

Plaintiffs Atlas Data Privacy Corporation ("Atlas") as the assignee of individuals who are Covered Persons under Daniel's Law along with Jane Doe-1 (a law enforcement officer), Jane Doe-2 (a law enforcement officer), Edwin Maldonado, Scott Maloney, Justyna Maloney, Patrick

Colligan, Peter Andreyev, and William Sullivan (collectively, "Plaintiffs"), by and through their undersigned counsel, hereby submit this Complaint against Defendants and state as follows:

### **INTRODUCTION**

1. In these tumultuous times, it is critical that the most sensitive personal information of those who serve the public be protected from unwarranted disclosure. As set forth below, Daniel's Law was passed unanimously by our Legislature to provide judges, law enforcement officers, and prosecutors – and their families – with the right to prevent the disclosure of their home addresses and unpublished home telephone numbers, and to enforce those rights against uncooperative profit-seeking data brokers.
2. This complaint seeks to protect those important rights, against companies brokering data and choosing profit and personal gain over a critical public interest and the unequivocal mandate of the law. Companies in the business of disclosing this protected information have avoided accountability for far too long, proffering such information, including home addresses and unpublished home telephone numbers, without sufficient regard for the risks and consequences imposed upon individuals who serve critical judicial and law enforcement roles.
3. The Legislature and Governor unanimously agree that the basic safety of those who serve – and their families – must be assured. Here, not only do the data brokers wantonly and repeatedly disregard the law, but they also demonstrate a callousness towards the well-being of those who serve. Our judges, law enforcement officers and prosecutors should receive the full measure of protection afforded to them under the same laws they enforce for the safety of all citizens.
4. With this action, Plaintiffs seek to enforce the important rights granted to judges, law enforcement officers, and prosecutors under Daniel's Law. Consistent with the statutory provisions, Atlas brings this action as an assignee for certain individuals, including many family

members of law enforcement officers and prosecutors. Plaintiffs seek all available injunctive relief and statutory damages, including to prevent any further disclosure by Defendants of information in violation of Daniel's Law.

### **BACKGROUND**

#### **Passage of Daniel's Law in New Jersey**

5. In July 2020, Daniel Anderl, the son of a New Jersey federal Judge, was shot dead by a gunman posing as a FedEx delivery man at the front door of the family's New Jersey home. Daniel, who was just age 20 and a rising junior in college, and who aspired to practice law like his parents, took a bullet to his chest trying to protect his parents. By the time his mother, a Judge, came to the door to check on what happened, the killer was gone. But her husband was critically wounded, and Daniel tragically died from the gunshot.

6. During the investigation, the perpetrator was found to have certain political and personal grievances against the Judge, and went to their home that day intending to kill her. Instead, he murdered the Judge's son and almost succeeded in killing her husband as well. Investigators eventually connected this attack with another shooting of an attorney in California, who was similarly mortally gunned down answering the door to his residence to pick up a supposed package from the same disguised gunman. Authorities concluded that the shooter was disgruntled over certain legal cases with similar political and legal issues to what was pending before Daniel's mother.

7. Critically, the gunman was able to find the home addresses of both of his murder victims through the various people finder resources available on the internet,<sup>1</sup> the same kind of data broker services at issue in this case.

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<sup>1</sup> <https://www.cbsnews.com/news/esther-salas-son-murder-roy-den-hollander-48-hours/>.

**New Jersey Passes Daniel's Law in 2020**

8. In response to the shooting of Daniel, New Jersey enacted Daniel's Law within a few months, in November 2020 (P.L. 2020, c. 125 *codified in N.J.S.A. 47:1A-1, et seq.* and *N.J.S.A. 56:8-166.1*), which prohibits online data brokers from selling, publishing, and distributing the name and address of current and former judges, law enforcement officers, and prosecutors and their eligible family members (i.e., "covered persons"), upon any written request by the covered person. Law enforcement personnel are expressly covered by the statute, in full recognition that the public service they provide is no less dangerous or important than those of Judges and prosecutors.

9. Any such covered person may request that a data broker not "disclose or re-disclose on the Internet or otherwise make available" their home addresses or unpublished home telephone numbers. Disclosure is defined to mean to "solicit, sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, post, publish, distribute, circulate, disseminate, present, exhibit, advertise, or offer, and shall include making available or viewable within a searchable list or database, regardless of whether a search of such list or database is actually performed." Data brokers must cease disclosure of this protected information within 10 business days of receiving a nondisclosure request from a covered person.

**Congress Passes Daniel Anderl Judicial Security and Privacy Act in 2022**

10. Similar to the actions taken by the State of New Jersey, federal judges such as U.S. Supreme Court Chief Justice John G. Roberts Jr. proposed and supported a federal version of Daniel's Law. The Chief Justice was quoted stating, "[t]he law requires every judge to swear an

oath to perform his or her work without fear or favor, but we must support judges by ensuring their safety ... [a] judicial system cannot and should not live in fear.”<sup>2</sup>

11. The federal bill, which had broad bipartisan support in both the House and Senate, protected judges’ personally identifiable information from resale by data brokers. It allowed federal judges to redact their personal information displayed on federal government internet sites.

12. The U.S. Senate voted 83-11 to pass the annual defense authorization bill, with the Daniel Anderl Judicial Security and Privacy Act attached,<sup>3</sup> and it was signed by President Biden.<sup>4</sup>

#### **Violence Against Police Officers and Judges Has Not Stopped**

13. Judges, law enforcement officers, and prosecutors put their lives on the line every day, which is clearly exhibited by numerous horrific stories of violence beyond the story of the murder of Daniel Anderl. For example, in 2020, three shooters openly fired upon the Camden home of two New Jersey police officers and their 10-day old infant. That the officers were constantly involved in the community doing good afforded them no safety from the perpetrators.<sup>5</sup>

14. More recently, another perpetrator hunted and killed in cold blood a Maryland Judge, after a child custody ruling.<sup>6</sup> The killing followed that of a Wisconsin Judge in 2022, where the perpetrator killed the retired Judge out of spite for his handling of a criminal case in 2005.<sup>7</sup>

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<sup>2</sup> <https://www.washingtonpost.com/politics/2022/12/31/supreme-court-roberts-leak-report/>.

<sup>3</sup> <https://www.uscourts.gov/news/2022/12/16/congress-passes-daniel-anderl-judicial-security-and-privacy-act>.

<sup>4</sup> <https://www.nj.com/politics/2022/12/biden-signs-defense-policy-bill-that-remembers-3-new-jerseyans.html>.

<sup>5</sup> Shooters Open Fire On Home Of New Jersey Police Officers In ‘Targeted Attack,’ Chief Says (forbes.com).

<sup>6</sup> Judge Andrew Wilkinson: Suspect still on the run after killing a judge at his home in a ‘targeted attack’ following a child custody ruling, sheriff says | CNN.

<sup>7</sup> Former Judge John Roemer was killed in his Wisconsin home in a targeted attack, officials say | CNN.

## **THE PARTIES**

### **The Individual Plaintiffs**

15. Plaintiff JANE DOE-1, whose name has been anonymized for safety reasons, is a decorated veteran police officer working in Northern New Jersey. Between 2021 and 2022, Officer Doe-1 participated in a task force that targeted a major criminal organization operating in the state. Her efforts ultimately led to the arrest and prosecution of a member of the organization's leadership, an individual with an extensive criminal history including threats of violence. In the subsequent investigation, digital devices recovered from the organization's leadership were analyzed and photographs of Officer Doe-1's personal residence were identified. Officer Doe-1 lives in the home with her spouse and their young child. Evidence recovered in the investigation included night-time photography of the young child's bedroom and playroom windows, with the light on while the child was playing inside. Further investigation revealed that the criminal organization's leadership had hired a private investigator who searched online data broker websites to obtain the officer's home address. Having identified her home address, text messages confirmed that they had initiated surveillance and were tracking Officer Doe-1's movements to and from her home, immediately prior to the task force initiating arrests.

16. Plaintiff JANE DOE-2, whose name has been anonymized for safety reasons, is a veteran correctional police officer who lives in Northern New Jersey with her husband and two young children. Earlier in her career, Officer Doe-2 was the subject of a death threat from a hostile inmate. The inmate stated that they intended to kill Officer Doe-2, and further implied that they would rely upon a particular private investigator to track down Officer Doe-2's home address to facilitate the murder. This death threat was investigated and considered credible enough to result in a successful criminal prosecution. Part of Officer Doe-2's current duties include working in her

correctional facility's law library, where inmates have access to the Internet including online data broker websites and services. Recently Officer Doe-2 and her coworkers discovered a note left behind by an inmate which included the full name and home address of a young female member of the jail's administrative staff. The most effective ways to safeguard the security and privacy of their home addresses - for their own safety and that of their family members - is a frequent topic of discussion and concern among the correctional police officers working at Officer Doe-2's facility.

17. Plaintiff Officer EDWIN MALDONADO joined the Plainfield, New Jersey police department as a patrol officer in 2000. After a few months on the job, he was assigned to street crimes, where he excelled at field work. In 2005, he became a Detective with Plainfield's major crimes unit and joined a Federal task force targeting the Mara Salvatrucha-13 (MS-13) gang in New Jersey. He worked with the task force for the next two years. During that time period, he received multiple credible death threats from MS-13 members. Detective Maldonado did not believe he would be able to safeguard his home address while living in Plainfield and relocated his family to a remote location from which he commuted to work. In 2009, because his relocation effort had been successful and MS-13 could not locate his new home address, gang members targeted Detective Maldonado's mother instead. They intended to burn down her building with her inside, but set fire to an adjacent building by mistake. Phone calls between MS-13 members discussing the premeditated murder of Detective Maldonado and his family, and the premeditated murder of Detective Maldonado's mother, were intercepted by jail wiretaps. Later in multiple criminal trials, evidence was entered into the record regarding these intercepted conversations and premeditated murders, contributing to numerous successful prosecutions.

18. Plaintiff's Sergeant SCOTT MALONEY ("Sergeant Maloney") and Officer JUSTYNA MALONEY ("Officer Maloney") are husband and wife, both veteran police officers currently serving with the Rahway, New Jersey Police Department. They live together in New Jersey with their two young children. In April of 2023, Officer Maloney responded to a routine call of a suspicious individual outside the Motor Vehicle Commission in Rahway. The individual was an online content creator who often solicits police contact and then films himself debating constitutional rights with the responding officers. A subset of the content creator's audience is vocally anti-police and videos posted to his social media channel have historically been the source of harassment and intimidation campaigns directed at the officers involved. In this case, Officer Maloney and several other responding officers were filmed discussing a number of legal issues with the content creator, including whether or not the content creator was required to take his hands out of his pockets to show that he was unarmed. Overall, the encounter was routine and ended uneventfully.

19. The resulting video footage was selectively edited and posted to YouTube. Almost immediately upon the video being posted, Officer Maloney was targeted by followers of the channel and other individuals who viewed the video. Sergeant Maloney was quickly identified by viewers as Officer Maloney's husband, and became a target himself, due to their relationship as a married couple and his own status as a police officer. Web links to data broker websites publicly disclosing the Maloney family's home address and unpublished home telephone numbers were posted along with explicit death threats and calls for violence, resulting in dozens of threatening phone calls and text messages.

20. One of the text messages sent to Sergeant Maloney demanded money and stated that if Sergeant Maloney did not comply then his family would "pay in blood." The unknown

messenger went on to state that they knew where the Maloneys lived and sent the full name and home address of one of the Maloneys' nearby relatives as proof of the messenger's ability to gather sensitive personal information. Sergeant Maloney refused to comply with any demands. He then received a video of three individuals in ski masks armed with handguns and assault rifles repeating the extortion demand. In part of the video, a masked individual points a rifle at the camera and tells Sergeant Maloney that his family is "going to get [their] heads cut off."

21. Several weeks later, one of the Maloneys' neighbors observed two suspicious looking individuals in ski masks parked one block away from the home and alerted police. Responding officers arrested two men - who were armed - for unlawful possession of a firearm. Video surveillance captured by nearby houses shows the two men circling the Maloneys' house immediately prior to their arrest. Officer Maloney and her two young children were at home at the time.

22. Plaintiff Detective PATRICK COLLIGAN is a 32-year veteran of the Franklin Township police department in Somerset, New Jersey. Since 2014, Detective Colligan has served as the President of the New Jersey State Policemen's Benevolent Association, representing more than 33,000 active law enforcement officers throughout the state. During the course of his law enforcement career, he has received numerous threats of violence targeted at him and his family as a result of his public service. The seriousness of certain threats necessitated the installation of a surveillance camera system and alarm system, and training for his spouse and children about how to respond in the event of an attack on their home.

23. Plaintiff Officer PETER ANDREYEV is a 32-year veteran of the Point Pleasant, New Jersey police department. Officer Andreyev currently services as the Executive Vice President of the New Jersey State Policemen's Benevolent Association, representing more than

33,000 active law enforcement officers throughout the state. During the course of his law enforcement career, he has received numerous threats of violence targeted at him and his family as a result of his public service. Officer Andreyev has counseled many other officers who have been the target of violent threats on ways to protect themselves and their family members from harm, whose protected information has been discovered and has responded to specific incidents where protected information was used by ex-inmates to threaten, harass, or intimidate fellow officers.

24. Plaintiff Officer WILLIAM SULLIVAN is an 18-year veteran of the New Jersey Department of Corrections. Since 2020, Officer Sullivan has served as the President of New Jersey PBA Local 105, the labor union representing thousands of correctional police officers from the New Jersey Department of Corrections, the Juvenile Justice Commission, and State Parole. During the course of his law enforcement career, he has received numerous threats of violence directed at him and his family as a result of his public service. Inmates incarcerated within New Jersey's state prisons frequently attempt to discover the protected information of correctional officers working in their facility. These attempts and the risks posed by such information being accessible on the Internet is a frequent topic of discussion and concern among correctional officers and their family members. Officer Sullivan has counseled many officers whose protected information has been discovered and has responded to specific incidents where protected information was used by ex-inmates to threaten, harass, or intimidate fellow officers.

**Plaintiff Atlas and its Assignors**

25. Plaintiff ATLAS DATA PRIVACY CORPORATION is a Delaware corporation, with offices at 201 Montgomery Street, Suite 263, Jersey City, New Jersey 07302.

26. As permitted under Daniel's Law, Atlas asserts claims against Defendants as the assignee of the claims of approximately 19,251 individuals who are all "covered persons" under Daniel's Law (together, the "Covered Persons"), including a significant number of individuals who are family members of judges, law enforcement officers, and prosecutors.

27. The Covered Persons include individuals who reside, work or had previously resided or worked in New Jersey, and qualify as "covered persons" as that term is defined under Daniel's Law, each of whom have claims against Defendants for failing to comply with Daniel's Law.

28. As set forth in more detail below, the Covered Persons (as well as the Individual Plaintiffs) each exercised their rights under Daniel's Law by sending Defendants a written notice requesting that Defendants cease disclosing or re-disclosing on the Internet or otherwise making available their protected information on one or more of Defendants' websites, mailing lists or through other methods of disclosure.

29. Defendants have not responded to these notices and, upon information and belief, have not complied with the law by ceasing the disclosure or re-disclosure on the Internet or the otherwise making available of protected information as required under Daniel's Law for each of the Covered Persons (as well as each of the Individual Plaintiffs) as required by the law.

30. In accordance with Daniel's Law, each of the Covered Persons has assigned their rights for claims thereunder against Defendants to Atlas.

31. Atlas provides an online platform, including an email service named AtlasMail, to law enforcement officers, prosecutors, judges, and other covered persons. Atlas works with and provides access to its platform to members of the New Jersey State Policemen's Benevolent Association, the Metropolitan Transportation Authority Police Benevolent Association, New

Jersey PBA Local 105, and the New Jersey State Troopers Fraternal Association, among others. The goal of these unions and associations, since the first passage of Daniel's Law in November 2020, was to increase the safety and well-being of their members and associated households by helping those members to understand and assert the rights provided to them by the law.

32. Upon signing up for Atlas, a law enforcement officer or other Covered Person is asked a series of questions to collect required personal information and qualify their eligibility as a Covered Person under Daniel's Law. Once eligibility is confirmed, they are shown a page explaining how the Atlas platform works:

## How Atlas Works

Daniel's Law allows you to send takedown notices to data brokers requesting that they not disclose or redisclose your home address or phone number. Atlas provides you with tools and services to help make the process more efficient.

- 1 **We Identify data brokers that may be disclosing your personal information.** As of January 2024, our system tracks over 1,000 data brokers who operate in the United States.
- 2 **You select the data brokers to whom you want to send takedown notices.** We have lists of data brokers that we recommend, in order to make the selection process easier and more efficient. Alternatively, you can select recipients individually.
- 3 **You review takedown notice templates.** AtlasMail provides you with templates for takedown notice emails.
- 4 **You send takedown notices.** Your Atlas service includes an AtlasMail email address. You can use this email address to send takedown notices. More information about AtlasMail will be on the next screen.

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33. AtlasMail is an email service operated by Atlas. Upon signing up with Atlas, each law enforcement officer or other Covered Person receives their own AtlasMail account, with a

unique inbox address (e.g. [john.doe23@atlasmail.com](mailto:john.doe23@atlasmail.com)) for their personal use. A description of AtlasMail and more information about how the email service works are provided on a page during the signup process:

## How AtlasMail Works

Daniel's Law allows you to send takedown notices to data brokers requesting that they not disclose or redisclose your sensitive personal information.

Atlas has created an email service, called **AtlasMail**, for its members to use for this purpose.

- ✓ Upon completing this signup process, a new email account will be created for your personal use. It will be:  
**john.doe23@atlasmail.com**
- ✓ You can access this email account from within the Atlas web application.
- ✓ This email account belongs to you and you can use it however you want, within certain anti-spam and similar limitations imposed by our terms of service.

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34. Having provided personal information, confirmed their eligibility for Daniel's Law, and progressed through several pages explaining the functions of Atlas as a platform and AtlasMail as an email service, the law enforcement officer or other Covered Person is then presented with a page on which they can review their home addresses and unpublished home telephone numbers, a takedown notice template, and a recommended list of data brokers to send notices to. On this page the law enforcement officer or other Covered Person can choose whether or not to send takedown notices. If they choose not to send takedown notices to the recommended list, they can select

individual recipients at a later page (as shown in the example copied below). Here, each of the

Individual Plaintiffs and Covered Persons sent Defendants a takedown notice.

**Data Brokers Included** 5

Select All

 People Data Labs (peopledatalabs.com)	<input type="checkbox"/>
 People Finder Free (Peoplefinderfree.com)	<input checked="" type="checkbox"/>
 People Finders (peoplefinders.com)	<input checked="" type="checkbox"/>
 People Looker (peoplelooker.com)	<input checked="" type="checkbox"/>
 People Search (peoplesearch.com)	<input checked="" type="checkbox"/>
 People.ai (people.ai)	<input type="checkbox"/>
 Peoplebackgroundcheck (people-background-check.com)	<input checked="" type="checkbox"/>

**Cancel** **Save**

By selecting the personal information and data brokers above and clicking "Send Takedowns" below, you will be sending a large volume of takedown notices from your AtlasMail email address john.doe23@atlasmail.com

**Send Takedowns**

35. Any reply or response back from a data broker to the law enforcement officer or other Covered Person is received and displayed in their AtlasMail inbox. AtlasMail is a fully featured email service provider, and its users can reply, forward, or use their AtlasMail account as they would any other email account:

## AtlasMail

 Compose

 Search Mail

 ALL MAIL

 INBOX

 SEND

 ASSIGNMENT CONFIRMATIONS

John Doe

Data Subject Request - Redaction/nondisclosure Request

11:40 PM

John Doe

Data Subject Request - Redaction/nondisclosure Request

11:39 PM

John Doe

Data Subject Request - Redaction/nondisclosure Request

11:39 PM

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John Doe

Data Subject Request - Redaction/nondisclosure Request

Jan 3

John Doe

Data Subject Request - Redaction/nondisclosure Request

Jan 3

### Redaction/Nondisclosure Request Confirmation

**To** john.doe23@atlasmail.com  
**From** privacy@exampledatabroker.com  
**Date** Fri, Jan 26, 2024 8:14 PM

Dear John,

Thank you for your redaction/nondisclosure request pursuant New Jersey law P.L. 2023, c.113; P.L.2021, c.371 (as amended, the "Act") and Section 3 of New Jersey P.L.2015, c.226 (C.56:8-166.1) (as amended, "Chapter 226"). We are writing to confirm that Example Data Broker Inc. will honor your request as required by the Act and Chapter 226.

Sincerely,

Example Data Broker Inc.

[Reply](#) [Forward](#)

36. With this lawsuit, Atlas seeks to enforce compliance with Daniel's Law for those Covered Persons. This lawsuit seeks to protect their privacy without unnecessarily putting those individuals in the spotlight. Atlas will work with the Court and Defendants to implement a protective order to then provide Defendants with the assignments and other information for each of the Covered Persons.

### Defendants

37. Defendant Epsilon Data Management, LLC is an entity that discloses or re-discloses on the Internet or otherwise makes available the home addresses and/or unpublished home telephone numbers of covered persons.

38. Defendant Conversant LLC is an entity that discloses or re-discloses on the Internet or otherwise makes available the home addresses and/or unpublished home telephone numbers of covered persons.

39. Defendant Citrus Ad International, Inc. is an entity that discloses or re-discloses on the Internet or otherwise makes available the home addresses and/or unpublished home telephone numbers of covered persons.

40. Defendants Richard Roes 1-10 and ABC Companies 1-10 (collectively with the defendants identified above referred to as the "Defendants") are fictitious names of currently unknown individuals/entities that were also involved with the violations described in this Complaint who have not yet been identified in part due to what appears to be intentional efforts by data brokers to conceal the specific entities involved and responsible for the disclosure of data and information, and individuals responsible for Defendants failures to comply with the law.

41. Defendants offer and engage in the disclosure of data and information through one or more websites, applications, or mailing lists, or otherwise in New Jersey, and to businesses and individuals who operate or reside in New Jersey. Those websites include:

epsilon.com

42. In accordance with Defendants' business model, visitors, users, or customers may obtain a name and home address and/or a name and unpublished home telephone number (including the name and address and/or unpublished home telephone number of the Individual Plaintiffs and Covered Persons).

43. Daniel's Law was passed to protect those who serve from the disclosure of this protected information by such services, which disclose such information of the Individual

Plaintiffs and Covered Persons for their own commercial interests, without sufficient regard to the risks and consequences imposed on individuals.

#### **JURISDICTION AND VENUE**

44. This Court has jurisdiction because the parties reside and/or conduct business in New Jersey, along with the Covered Persons, and the unlawful actions complained of herein occurred in New Jersey.

45. Venue is proper pursuant to R. 4:3-2, in that Monmouth County is the county in which one or more of the parties and/or Covered Persons reside and/or conduct business. In addition, many of the events giving rise to this action occurred in this County.

#### **FACTS COMMON TO ALL COUNTS**

46. As set forth above, New Jersey enacted Daniel's Law in November 2020 (P.L. 2020, c. 125 codified as N.J.S.A. 47:1A-1, et seq. and N.J.S.A. 56:8-166.1).

47. Daniel's Law prohibits data brokers from disclosing or re-disclosing on the Internet or otherwise making available the home addresses or unpublished home telephone numbers of covered persons as defined in the law, upon a written request by those individuals.

48. Upon notification, and no later than 10 business days after receipt, a data broker must not disclose or re-disclose on the Internet or otherwise make available the home addresses or unpublished home telephone numbers of the covered person.

49. This includes a mandate that within 10 business days of receiving a nondisclosure request, the data broker shall not disclose the protected information of the covered person. Disclosure is defined to mean to "solicit, sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, post, publish, distribute, circulate, disseminate, present, exhibit, advertise, or offer, and

shall include making available or viewable within a searchable list or database, regardless of whether a search of such list or database is actually performed.”

50. Daniel’s Law was amended in 2023, as P.L. 2023, c. 113. The amendment was passed unanimously by the Assembly on May 25, 2023, by the Senate on June 20, 2023, and was thereafter signed by the Governor on July 20, 2023.

51. Certain provisions of the amended law, including changes to N.J.S.A. 56:8-166.1, went into effect immediately.

52. As of July 20, 2023, Daniel’s Law as codified in N.J.S.A. 56:8-166.1 provided:<sup>8</sup>

3.a. (1) Upon notification pursuant to paragraph (2) of this subsection, and not later than 10 business days following receipt thereof, a person, business, or association shall not disclose or redisclose on the Internet or otherwise make available, the home address or unpublished home telephone number of any covered person, as defined in subsection d. of this section.

b. A person, business, or association that violates subsection a. of this section shall be liable to the covered person, or the covered person’s assignee, who may bring a civil action in the Superior Court.

c. The court shall award:

- (1) actual damages, but not less than liquidated damages computed at the rate of \$1,000 for each violation of this act;
- (2) punitive damages upon proof of willful or reckless disregard of the law;
- (3) reasonable attorney’s fees and other litigation costs reasonably incurred; and
- (4) any other preliminary and equitable relief as the court determines to be appropriate.

d. For the purposes of this section:

... “Disclose” shall mean to solicit, sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, post,

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<sup>8</sup> <https://pub.njleg.state.nj.us/Bills/2022/PL23/113.PDF>

publish, distribute, circulate, disseminate, present, exhibit, advertise or offer, and shall include making available or viewable within a searchable list or database, regardless of whether a search of such list or database is actually performed."

53. Starting on or about December 30, 2023, each of the Individual Plaintiffs and all of the Covered Persons (who assigned claims to Atlas) sent Defendants written nondisclosure requests (via email) in accordance with Daniel's Law, using AtlasMail.

54. For example, a true and correct copy of the email directly from Plaintiff Andreyev (with personal information redacted) is pasted here:

To : privacy@epsilon.com  
From : Peter Andreyev <[REDACTED]@atlasmail.com>  
Date : Sun, Dec 31, 2023 10:43 PM

Epsilon  
December 31, 2023

To Whom It May Concern:

I am a "Covered Person" as defined by New Jersey law P.L. 2023, c.113, P.L.2021, c.371 (as amended, the "Act"). Pursuant to the Act and Section 3 of New Jersey P.L.2015, c.226 (C.56:8-166.1) (as amended), I hereby request that you not disclose or re-disclose on the Internet or otherwise make available, the following protected information:

Name: Peter Andreyev

Phone: [REDACTED]

Sincerely,  
Peter Andreyev

55. Defendants failed to respond to these notices and, upon information and belief, cease the disclosure or re-disclosure on the Internet or the otherwise making available of the protected information of the Individuals Plaintiffs and Covered Persons within the time period required by Daniel's Law.

56. All of the Covered Persons who sent their nondisclosure requests to Defendants (not including the Individual Plaintiffs) have assigned their claims against Defendants to Atlas.

57. The Individual Plaintiffs and Atlas hereby assert claims against Defendants based on their violation of Daniel's Law and continuing refusal to comply with that law.

**COUNT ONE**

**(Daniel's Law)**

58. The allegations of the Complaint set forth above are included herein as if set forth at length.

59. The Individual Plaintiffs and Covered Persons transmitted notice in writing to Defendants requesting that Defendants cease disclosure of their home address and/or unpublished home telephone number and cease its disclosure or re-disclosure on the Internet or wherever Defendants otherwise made it available.

60. Defendants had an obligation under Daniel's Law to comply with the request within ten (10) business days.

61. As of the date of this filing, upon information and belief, Defendants still refuse to comply with Daniel's Law. Upon information and belief, the protected information (including home addresses and/or unpublished home telephone numbers) of the Individual Plaintiffs and the Covered Persons remains "available or viewable within a searchable list or database" or otherwise made available.

62. Upon information and belief, Defendants did not cease the disclosure or re-disclosure on the Internet or the otherwise making available of information as required under Daniel's Law, and their failure in doing so each constitute a separate violation under the law.

63. As a result of Defendants' failures to comply with Daniel's Law, Plaintiffs have suffered damages, and request all available relief.

WHEREFORE, Plaintiffs request that Judgment be entered against Defendants as follows:

- A. Ordering that Defendants immediately comply with Daniel's Law, and cease the disclosure of the Individuals Plaintiffs' and the Covered Persons' names, home addresses, and unpublished home telephone numbers wherever disclosed or re-disclosed on the Internet or otherwise made available;
- B. Awarding actual damages, not less than liquidated damages under Daniel's Law, at "\$1,000 for each violation";
- C. Awarding an additional amount in punitive damages, to be determined by the Court, for "willful noncompliance" as allowed under Daniel's Law;
- D. Awarding reasonable attorneys' fees, interest (pre and post judgment) and litigation costs incurred;
- E. Ordering injunctive relief requiring that Defendants comply with Daniel's Law, and remove the Individual Plaintiffs' and the Covered Persons' protected information wherever disclosed;
- F. Entering equitable or other permanent injunctive relief requiring Defendants to comply with Daniel's law, including the appointment of a qualified independent expert to ensure that Defendants prospectively maintain compliance with Daniel's Law; and
- G. Awarding such other and further relief against Defendants as the Court deems equitable and just.

Respectfully Submitted,

**GENOVA BURNS LLC**

Dated: February 8, 2024

By: /s/ Rajiv D. Parikh

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LITIGATION GROUP**

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Ryan J. McGee

201 North Franklin Street, 7th Floor

Tampa, FL 33602

Tel.: (813) 223-5505

jyanchunis@ForThePeople.com

rmcgee@ForThePeople.com

*(pro hac vice motions to be filed)*

**DESIGNATION OF TRIAL COUNSEL**

The Court is advised that pursuant to New Jersey Court Rules 4:5-1(c) and 4:25-4,

Rajiv D. Parikh, Esq. is hereby designated as trial counsel for Plaintiffs in this matter.

**GENOVA BURNS LLC**

Dated: February 8, 2024

By: /s/ Rajiv D. Parikh

Rajiv D. Parikh, Esq.

**CERTIFICATION PURSUANT TO RULE 4:5-1**

Pursuant to R. 4:5-1, it is hereby stated that the matter in controversy between the parties hereto is not the subject of any other action pending in any other Court or of a pending arbitration proceeding to the best of my knowledge and belief. Also, to the best of my knowledge and belief, no other action or arbitration proceeding between the parties hereto is contemplated. Further, other than the parties set forth in this pleading and the previous pleadings, if any, at the present time we know of no other parties that should be joined in the within action.

**GENOVA BURNS LLC**

Dated: February 8, 2024

By: /s/ Rajiv D. Parikh

Rajiv D. Parikh, Esq.

**CERTIFICATION PURSUANT TO RULE 1:38-7(b)**

Pursuant to Rule 1:38-7(b), it is hereby stated that all confidential personal identifiers have been redacted from documents now submitted to the Court and will be redacted from all documents submitted in the future.

**GENOVA BURNS LLC**

Dated: February 8, 2024

By: /s/ Rajiv D. Parikh

Rajiv D. Parikh, Esq.

MONMOUTH COUNTY  
SUPERIOR COURT  
PO BOX 1270  
FREEHOLD NJ 07728

COURT TELEPHONE NO. (732) 358-8700  
COURT HOURS 8:30 AM - 4:30 PM

TRACK ASSIGNMENT NOTICE

DATE: FEBRUARY 08, 2024  
RE: ATLAS DATA PRIVACY C ORPORATIO VS EPSILON DATA M  
DOCKET: MON L -000533 24

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 1.

DISCOVERY IS 150 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS  
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON STACEY D. ADAMS

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 003  
AT: (732) 358-8700 EXT 87549.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A  
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.  
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE  
WITH R.4:5A-2.

ATTENTION:

ATT: RAJIV D. PARIKH  
GENOVA BURNS LLC  
494 BROAD ST 6TH FL  
NEWARK NJ 07102

ECOURTS

## Civil Case Information Statement

**Case Details: MONMOUTH | Civil Part Docket# L-000533-24**

**Case Caption:** ATLAS DATA PRIVACY C ORPORATIO VS EPSILON DATA M

**Case Initiation Date:** 02/08/2024

**Attorney Name:** RAJIV D PARIKH

**Firm Name:** GENOVA BURNS LLC

**Address:** 494 BROAD ST 6TH FL

NEWARK NJ 07102

**Phone:** 9735330777

**Name of Party:** PLAINTIFF : ATLAS DATA PRIVACY CORPORATION

**Name of Defendant's Primary Insurance Company (If known):** Unknown

**Case Type:** OTHER Daniel's Law

**Document Type:** Complaint

**Jury Demand:** NONE

**Is this a professional malpractice case?** NO

**Related cases pending:** NO

**If yes, list docket numbers:**

**Do you anticipate adding any parties (arising out of same transaction or occurrence)?** NO

**Does this case involve claims related to COVID-19?** NO

**Are sexual abuse claims alleged by: ATLAS DATA PRIVACY CORPORATION?** NO

**Are sexual abuse claims alleged by: JANE DOE 1?** NO

**Are sexual abuse claims alleged by: JANE DOE 2?** NO

**Are sexual abuse claims alleged by: EDWIN MALDONADO?** NO

**Are sexual abuse claims alleged by: JUSTYNA MALONEY?** NO

**Are sexual abuse claims alleged by: SCOTT MALONEY?** NO

**Are sexual abuse claims alleged by: PETER ANDREYEV?** NO

**Are sexual abuse claims alleged by: PATRICK COLLIGAN?** NO

**Are sexual abuse claims alleged by: WILLIAM SULLIVAN?** NO

**THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE**  
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

**Do parties have a current, past, or recurrent relationship?** NO

**If yes, Is that relationship:**

**Does the statute governing this case provide for payment of fees by the losing party?** NO

**Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:**

**Do you or your client need any disability accommodations? NO**  
**If yes, please identify the requested accommodation:**

**Will an interpreter be needed? NO**  
**If yes, for what language:**

**Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO Medical Debt Claim? NO**

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).

02/08/2024  
Dated

/s/ RAJIV D PARIKH  
Signed

# **Exhibit E**

## Case Summary

**Case Number:** MON L-000533-24

**Case Caption:** Atlas Data Privacy C Orporatio Vs Epsilon Data M

**Court:** Civil Part

**Venue:** Monmouth

**Case Initiation Date:** 02/08/2024

**Case Type:** Other

**Case Status:** Active

**Jury Demand:** None

**Case Track:** 1

**Judge:** Stacey D Adams

**Team:** 3

**Original Discovery End Date:**

**Current Discovery End Date:**

**# of DED Extensions:** 0

**Original Arbitration Date:**

**Current Arbitration Date:**

**# of Arb Adjournments:** 0

**Original Trial Date:**

**Current Trial Date:**

**# of Trial Date Adjournments:** 0

**Disposition Date:**

**Case Disposition:** Open

**Statewide Lien:**

### Plaintiffs

**Atlas Data Privacy Corporation**

**Party Description:** Business

**Attorney Name:** Rajiv D Parikh

**Address Line 1:**

**Address Line 2:**

**Attorney Bar ID:** 032462005

**City:**

**State:** NJ

**Zip:** 00000

**Phone:**

**Attorney Email:** RPARIKH@GENOVABURNS.COM

**Jane Doe 1**

**Party Description:** Individual

**Attorney Name:** Rajiv D Parikh

**Address Line 1:**

**Address Line 2:**

**Attorney Bar ID:** 032462005

**City:**

**State:** NJ

**Zip:** 00000

**Phone:**

**Attorney Email:** RPARIKH@GENOVABURNS.COM

**Jane Doe 2**

**Party Description:** Individual

**Attorney Name:** Rajiv D Parikh

**Address Line 1:**

**Address Line 2:**

**Attorney Bar ID:** 032462005

**City:**

**State:** NJ

**Zip:** 00000

**Phone:**

**Attorney Email:** RPARIKH@GENOVABURNS.COM

**Edwin Maldonado**

**Party Description:** Individual

**Attorney Name:** Rajiv D Parikh

**Address Line 1:**

**Address Line 2:**

**Attorney Bar ID:** 032462005

**City:**

**State:** NJ

**Zip:** 00000

**Phone:**

**Attorney Email:** RPARIKH@GENOVABURNS.COM

**Justyna Maloney**

**Party Description:** Individual

**Attorney Name:** Rajiv D Parikh

**Address Line 1:**

**Address Line 2:**

**Attorney Bar ID:** 032462005

**City:**

**State:** NJ

**Zip:** 00000

**Phone:**

**Attorney Email:** RPARIKH@GENOVABURNS.COM

**Scott Maloney**

**Party Description:** Individual

**Attorney Name:** Rajiv D Parikh

**Address Line 1:**

**Address Line 2:**

**Attorney Bar ID:** 032462005

**City:**

**State:** NJ

**Zip:** 00000

**Phone:**

**Attorney Email:** RPARIKH@GENOVABURNS.COM

**Peter Andreyev**

**Party Description:** Individual

**Attorney Name:** Rajiv D Parikh

**Address Line 1:**

**Address Line 2:**

**Attorney Bar ID:** 032462005

**City:**

**State:** NJ

**Zip:** 00000

**Phone:**

**Attorney Email:** RPARIKH@GENOVABURNS.COM**Patrick Colligan****Party Description:** Individual**Attorney Name:** Rajiv D Parikh**Address Line 1:****Address Line 2:****Attorney Bar ID:** 032462005**City:** State: NJ**Zip:** 00000**Phone:****Attorney Email:** RPARIKH@GENOVABURNS.COM**William Sullivan****Party Description:** Individual**Attorney Name:** Rajiv D Parikh**Address Line 1:****Address Line 2:****Attorney Bar ID:** 032462005**City:** State: NJ**Zip:** 00000**Phone:****Attorney Email:** RPARIKH@GENOVABURNS.COM**Defendants****Conversant Llc****Party Description:** Business**Attorney Name:****Address Line 1:****Address Line 2:****Attorney Bar ID:****City:** State: NJ**Zip:** 00000**Phone:****Attorney Email:****Citrus Ad International, Inc.****Party Description:** Business**Attorney Name:****Address Line 1:****Address Line 2:****Attorney Bar ID:****City:** State: NJ**Zip:** 00000**Phone:****Attorney Email:****Richard Roes 1-10****Party Description:** Fictitious**Attorney Name:****Address Line 1:****Address Line 2:****Attorney Bar ID:****City:** State: NJ**Zip:** 00000**Phone:****Attorney Email:****Abc Companies 1-10****Party Description:** Fictitious**Attorney Name:****Address Line 1:****Address Line 2:****Attorney Bar ID:****City:** State: NJ**Zip:** 00000**Phone:****Attorney Email:****Epsilon Data Management, Llc****Party Description:** Business**Attorney Name:****Address Line 1:****Address Line 2:****Attorney Bar ID:****City:** State: NJ**Zip:** 00000**Phone:****Attorney Email:****Case Actions**

Filed Date	Docket Text	Transaction ID	Entry Date
02/08/2024	Complaint for MON-L-000533-24 submitted by PARIKH, RAJIV D, GENOVA BURNS LLC on behalf of ATLAS DATA PRIVACY CORPORATION, JANE DOE 1, JANE DOE 2, EDWIN MALDONADO, JUSTYNA MALONEY ET AL. against EPSILON DATA MANAGEMENT, LLC, CONVERSANT LLC, CITRUS AD INTERNATIONAL, INC., RICHARD ROES 1-10, ABC COMPANIES 1-10	LCV2024343100	02/08/2024
02/09/2024	TRACK ASSIGNMENT Notice submitted by Case Management	LCV2024361994	02/09/2024
03/19/2024	AFFIDAVIT OF SERVICE submitted by PARIKH, RAJIV, D of GENOVA BURNS LLC on behalf of ATLAS DATA PRIVACY CORPORATION, JANE DOE 1, JANE DOE 2, EDWIN MALDONADO, JUSTYNA MALONEY ET AL. against CONVERSANT LLC, CITRUS AD INTERNATIONAL, INC., RICHARD ROES 1-10, ABC COMPANIES 1-10, EPSILON DATA MANAGEMENT, LLC	LCV2024714302	03/19/2024
03/19/2024	AFFIDAVIT OF SERVICE submitted by PARIKH, RAJIV, D of GENOVA BURNS LLC on behalf of ATLAS DATA PRIVACY CORPORATION, JANE DOE 1, JANE DOE 2, EDWIN MALDONADO, JUSTYNA MALONEY ET AL. against CONVERSANT LLC, CITRUS AD INTERNATIONAL, INC., RICHARD ROES 1-10, ABC COMPANIES 1-10, EPSILON DATA MANAGEMENT, LLC	LCV2024714358	03/19/2024

03/20/2024	ADJOURNMENT REQUEST (MOTION) submitted by PARIKH, RAJIV, D of GENOVA BURNS LLC on behalf of ATLAS DATA PRIVACY CORPORATION, JANE DOE 1, JANE DOE 2, EDWIN MALDONADO, JUSTYNA MALONEY ET AL. against CONVERSANT LLC, CITRUS AD INTERNATIONAL, INC., RICHARD ROES 1-10, ABC COMPANIES 1-10, EPSILON DATA MANAGEMENT, LLC	LCV2024723825	03/20/2024
03/22/2024	AFFIDAVIT OF SERVICE submitted by PARIKH, RAJIV, D of GENOVA BURNS LLC on behalf of ATLAS DATA PRIVACY CORPORATION, JANE DOE 1, JANE DOE 2, EDWIN MALDONADO, JUSTYNA MALONEY ET AL. against CONVERSANT LLC, CITRUS AD INTERNATIONAL, INC., RICHARD ROES 1-10, ABC COMPANIES 1-10, EPSILON DATA MANAGEMENT, LLC	LCV2024752482	03/22/2024

# **Exhibit F**

MONMOUTH COUNTY  
SUPERIOR COURT  
PO BOX 1270  
FREEHOLD NJ 07728

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (732) 358-8700  
COURT HOURS 8:30 AM - 4:30 PM

DATE: FEBRUARY 08, 2024  
RE: ATLAS DATA PRIVACY C ORPORATIO VS EPSILON DATA M  
DOCKET: MON L -000533 24

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 1.

DISCOVERY IS 150 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS  
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON STACEY D. ADAMS

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 003  
AT: (732) 358-8700 EXT 87549.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A  
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.  
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE  
WITH R.4:5A-2.

ATTENTION:

ATT: RAJIV D. PARIKH  
GENOVA BURNS LLC  
494 BROAD ST 6TH FL  
NEWARK NJ 07102

ECOURTS

# **Exhibit G**



Genova Burns LLC  
494 Broad Street, Newark, NJ 07102  
**Tel:** 973.533.0777 **Fax:** 973.814.4045  
**Web:** [www.genovaburns.com](http://www.genovaburns.com)

Rajiv D. Parikh, Esq.  
Partner  
Member of NJ and NY Bars  
[rparikh@genovaburns.com](mailto:rparikh@genovaburns.com)  
Direct: 973-535-4446

March 19, 2024

**VIA ECOURTS**

The Honorable John D. O'Dwyer, P.J.Cv.  
Bergen County Justice Center  
10 Main Street, Floor 3  
Hackensack, NJ 07601

The Honorable Douglas H. Hurd, P.J.Cv.  
Mercer County Civil Courthouse  
175 South Broad Street, Floor 3  
Trenton, NJ 08650

The Honorable Marcy M. McMann, J.S.C.  
Records and Administration Building  
Court Street, 4th Floor  
Morristown, NJ 07963

The Honorable Lourdes Lucas, J.S.C.  
Monmouth County Courthouse  
71 Monument Park, PO Box 1266, 2nd Floor  
Freehold, NJ 07728

The Honorable Joseph L. Rea, J.S.C.  
Middlesex County Courthouse  
56 Paterson Street, PO Box 964, 4th Floor  
New Brunswick, NJ 08903

**Re: Atlas Data Privacy Corporation, et al. v. Enformion, LLC, et al.,**  
**Docket No.: BER-L-767-24**  
**Atlas Data Privacy Corporation, et al. v. PIPL, Inc. et al.,**  
**Docket No.: MON-L-481-24**  
**Atlas Data Privacy Corporation, et al. v. Whitepages, Inc., et al.,**  
**Docket No.: MER-L-270-24**  
**Atlas Data Privacy Corporation, et al. v. NJ Property Records, LLC, et al.,**  
**Docket No.: MID-L-811-24**  
**Atlas Data Privacy Corporation, et al. v. Melissa Data Corp., et al.,**  
**Docket No.: MRS-L-224-24**

Dear Judge:

We write on behalf of the Plaintiffs in the above referenced matters and the matters in the enclosed notices of motion. Plaintiffs' motions to consolidate all Daniel's Law actions filed by Plaintiffs on March 12, 2024 in Bergen County, Monmouth County, Mercer County, Middlesex County, and Morris County are currently returnable on March 28, 2024 (the "Motions").



The Honorable John D. O'Dwyer, P.J.Cv.  
The Honorable Douglas H. Hurd, P.J.Cv.  
The Honorable Marcy M. McMann, J.S.C.  
The Honorable Lourdes Lucas, J.S.C.  
The Honorable Joseph L. Rea, J.S.C.  
March 19, 2024  
Page 2 of 2

To preserve judicial resources and alleviate the burden on courts with filing approximately one-hundred and fifty (150) motions to consolidate across five (5) counties, Plaintiffs filed one (1) consolidation motion in the first action filed in the aforementioned counties. Plaintiffs are hopeful that Defendants will likewise file any opposition(s) under these dockets to reduce the total number of communications and/or motion papers filed by counsel and reduce the burden on the courts.

Since filing the Motions, Plaintiffs' counsel have emailed numerous counsel who had advised via email that they represent Defendants in these actions, providing the identified defense counsel with a courtesy copy of Plaintiffs' motion to consolidate. It appears that most of those counsel have not yet filed notices of appearance with the courts, and Plaintiffs' counsel are hopeful that they do that soon to provide for a more streamlined notification process going forward.

Counsel for a number of the Defendants have requested an adjournment of the pending motions to consolidate.

In an effort to accommodate the adjournment requests from Defendants' counsel, and to provide an additional opportunity for counsel and any non-represented Defendants to review and respond to Plaintiffs' motions to consolidate and respond thereto, Plaintiffs are willing to adjourn the motions one (1) motion cycle.

Plaintiffs respectfully request an adjournment of the motions from March 28, 2024 to April 12, 2024. Plaintiffs also respectfully propose and request that any opposition(s) by Defendants must be filed on or before April 1, 2024, and any reply brief(s) by Plaintiffs must be filed on or before April 8, 2024. As noted, Plaintiffs are hopeful that Defendants will coordinate with regards to any opposition(s), to reduce the burden on the courts.

Thank you for your time and attention to this matter.

Respectfully submitted,

**GENOVA BURNS LLC**

s/Rajiv D. Parikh

RDP/JJB:lq  
17480522(25221.001)

RAJIV D. PARIKH

**GENOVA BURNS LLC**

Rajiv D. Parikh (032462005)

Kathleen Barnett Einhorn, Esq. (040161992)

494 Broad Street

Newark, New Jersey 07102

Telephone: (973) 533-0777

*Attorneys for Plaintiffs*

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

ENFORMION, LLC, ENFORMION HOLDCO INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

MYLIFE.COM, INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000767-24

**CIVIL ACTION**

**NOTICE OF MOTION TO  
CONSOLIDATE**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000768-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000769-24

**CIVIL ACTION**

SOCIAL CATFISH, LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

COSTAR GROUP, INC., COSTAR REALTY INFORMATION, INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

SCALABLE COMMERCE, LLC, NATIONAL DATA ANALYTICS, LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000770-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000771-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000772-24

**CIVIL ACTION**

INTELAGE SYSTEMS CORP., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

CORELOGIC, INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

BOUNDARY SOLUTIONS, INCORPORATED, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000773-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000793-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

SWORDFISH AI INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

TRANSUNION, LLC, NEUSTAR, INC., RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

GREENFLIGHT VENTURE CORP., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000794-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000810-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000811-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,  
v.

LABELS & LISTS, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown  
entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,  
v.

ONXMAPS, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown  
entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
assignee of individuals who are Covered Persons,  
et al.,

Plaintiffs,  
v.

LUSHA SYSTEMS INC., RICHARD ROES 1-10,  
fictitious names of unknown individuals and ABC  
COMPANIES 1-10, *fictitious names of unknown  
entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, BERGEN COUNTY  
DOCKET NO.: BER-L-000812-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, BERGEN COUNTY  
DOCKET NO.: BER-L-000813-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, BERGEN COUNTY  
DOCKET NO.: BER-L-000814-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

UNMASK LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

MAPRIGHT INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

PRECISELY HOLDINGS LLC, PRECISELY SOFTWARE INC., PRECISELY SOFTWARE LTD., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000815-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000818-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000819-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,  
v.

DELUXE CORPORATION, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, JANE DOE-1, a law enforcement officer, JANE DOE-2, a law enforcement officer, EDWIN MALDONADO, SCOTT MALONEY, JUSTYNA MALONEY, PATRICK COLLIGAN, and PETER ANDREYEV

Plaintiffs,  
v.

SYNC.ME TECHNOLOGIES, LTD., SYNC.ME LTD, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000821-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000822-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons*, JANE DOE-1, *a law enforcement officer*, JANE DOE-2, *a law enforcement officer*, and PETER ANDREYEV,

Plaintiffs,

v.

OFFICIALUSA.COM, RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

E-MERGES.COM INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, BERGEN COUNTY  
DOCKET NO.: BER-L-000849-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, BERGEN COUNTY  
DOCKET NO.: BER-L-000854-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

v.

MAIN STREET RESPONSE LLC, DBA ID TRUE, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000855-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

v.

YARDI SYSTEMS, INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000856-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

NATIONAL SEARCH ASSOCIATION CORP, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

ATDATA, LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

CLARITAS, LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000866-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000867-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000868-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

SAGEWIRE RESEARCH, LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

GOHUNT, LLC, GOHUNT MANAGEMENT HOLDINGS, LLC, GOHUNT MANAGEMENT HOLDINGS II, LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000869-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000870-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

RE/MAX, LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

INFOMATICS LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

ROCKETREACH LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, BERGEN COUNTY  
DOCKET NO.: BER-L-000871-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, BERGEN COUNTY  
DOCKET NO.: BER-L-000872-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, BERGEN COUNTY  
DOCKET NO.: BER-L-000873-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

ZILLOW, INC., ZILLOW GROUP, INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, *as assignee of individuals who are Covered Persons*, JANE DOE-1, *a law enforcement officer*, JANE DOE-2, *a law enforcement officer*, EDWIN MALDONADO, SCOTT MALONEY, JUSTYNA MALONEY, PETER ANDREYEV, and WILLIAM SULLIVAN,

Plaintiffs,

v.

LEXISNEXIS RISK DATA MANAGEMENT, LLC, RELX, INC., RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000874-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000875-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

QUANTARIUM ALLIANCE, LLC, QUANTARIUM GROUP, LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

ORACLE INTERNATIONAL CORPORATION, ORACLE AMERICA, INC., ORACLE CORP., RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

AMSIIVE, LLC, AMSIIVE AQ LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000878-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000917-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000918-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

EQUIFAX INC., KOUNT INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

CHOREOGRAPH LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

THE ALESCO GROUP, L.L.C., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000919-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000920-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000969-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

USPHONESEARCH.COM, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

EDVISORS NETWORK, INC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

INNOVATIVE WEB SOLUTIONS, LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000970-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-000971-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, BERGEN COUNTY DOCKET NO.: BER-L-001038-24

**CIVIL ACTION**

TO: All Defendants and Counsel of Record

**PLEASE TAKE NOTICE** that on March 28, 2024 at 9:00 a.m., or as soon thereafter as counsel may be heard, the undersigned, attorneys for Plaintiffs will move before the Superior Court of New Jersey, Bergen County, 10 Main Street, Hackensack, New Jersey 07601 for an Order pursuant to R. 4:38-1(a) consolidating the aforementioned actions for discovery and case management purposes only.

**PLEASE TAKE FURTHER NOTICE** that, in support of this application, Plaintiffs will rely upon the attached Certification of Rajiv D. Parikh, Esq., as well as the attached supporting Memorandum of Law.

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is also submitted herewith pursuant to R. 1:6-2.

**PLEASE TAKE FURTHER NOTICE** that pursuant to R. 1:6-2(d), Plaintiffs request oral argument if timely opposition is filed by Defendants.

Respectfully submitted,

**GENOVA BURNS LLC**  
*Attorneys for Plaintiffs*

s/ Rajiv D. Parikh  
RAJIV D. PARIKH

Dated: March 12, 2024

**GENOVA BURNS LLC**

Rajiv D. Parikh (032462005)

Kathleen Barnett Einhorn, Esq. (040161992)

494 Broad Street

Newark, New Jersey 07102

Telephone: (973) 533-0777

*Attorneys for Plaintiffs*

ATLAS DATA PRIVACY CORPORATION, *as assignee of individuals who are Covered Persons, et al.*,

Plaintiffs,

v.

WHITEPAGES INC., RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, *as assignee of individuals who are Covered Persons, JANE DOE-1, a law enforcement officer, JANE DOE-2, a law enforcement officer, SCOTT MALONEY, JUSTYNA MALONEY, PATRICK COLLIGAN, PETER ANDREYEV, and WILLIAM SULLIVAN,*

Plaintiffs,

v.

BLACK KNIGHT TECHNOLOGIES, LLC, BLACK KNIGHT, INC., RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MERCER COUNTY  
DOCKET NO.: MER-L-000270-24

**CIVIL ACTION**

**NOTICE OF MOTION  
TO CONSOLIDATE**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MERCER COUNTY  
DOCKET NO.: MER-L-000271-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as  
assignee of individuals who are *Covered  
Persons, et al.*,

Plaintiffs,

v.

THE LIFETIME VALUE CO. LLC,  
BEENVERIFIED, INC., NEIGHBORWHO  
LLC, THE NUMBERGURU, LLC,  
PEOPLELOOKER LLC, PEOPLES MART  
LLC, OWNERLY, LLC, RICHARD ROES 1-  
10, *fictitious names of unknown individuals* and  
ABC COMPANIES 1-10, *fictitious names of  
unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
assignee of individuals who are *Covered  
Persons, et al.*,

Plaintiffs,

v.

ATTOM DATA SOLUTIONS, LLC, RICHARD  
ROES 1-10, *fictitious names of unknown  
individuals* and ABC COMPANIES 1-10,  
*fictitious names of unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
assignee of individuals who are *Covered  
Persons, et al.*,

Plaintiffs,

v.

MYHERITAGE LTD., MYHERITAGE (USA),  
INC., RICHARD ROES 1-10, *fictitious names of  
unknown individuals* and ABC COMPANIES 1-  
10, *fictitious names of unknown entities*,

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MERCER COUNTY  
DOCKET NO.: MER-L-000272-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MERCER COUNTY  
DOCKET NO.: MER-L-000273-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MERCER COUNTY  
DOCKET NO.: MER-L-000282-24

**CIVIL ACTION**

<p>Defendants.</p> <p>ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,</p> <p>Plaintiffs,</p> <p>v.</p> <p>ACXIOM LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,</p> <p>Defendants.</p> <p>ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,</p> <p>Plaintiffs,</p> <p>v.</p> <p>FORTNOFF FINANCIAL LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,</p> <p>Defendants.</p> <p>ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,</p> <p>Plaintiffs,</p> <p>v.</p> <p>HIYA INC., RICHARD ROES 1-10, <i>fictitious names of unknown individuals</i> and ABC COMPANIES 1-10, <i>fictitious names of unknown entities</i>,</p> <p>Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MERCER COUNTY DOCKET NO.: MER-L-000283-24</p> <p><b><u>CIVIL ACTION</u></b></p> <p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MERCER COUNTY DOCKET NO.: MER-L-000284-24</p> <p><b><u>CIVIL ACTION</u></b></p> <p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MERCER COUNTY DOCKET NO.: MER-L-000285-24</p> <p><b><u>CIVIL ACTION</u></b></p>
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ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are *Covered Persons*, et al.,

Plaintiffs,

v.

LUCKY2MEDIA, LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are *Covered Persons*, JANE DOE-1, a law enforcement officer, JANE DOE-2, a law enforcement officer, EDWIN MALDONADO, SCOTT MALONEY, JUSTYNA MALONEY, PETER ANDREYEV, and WILLIAM SULLIVAN,

Plaintiffs,

v.

VOTERRECORDS.COM, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MERCER COUNTY DOCKET NO.: MER-L-000286-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MERCER COUNTY DOCKET NO.: MER-L-000288-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

VALASSIS DIGITAL CORP., VALASSIS COMMUNICATIONS, INC., VERICAST CORP, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

CIVIL DATA RESEARCH, LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

PROPERTYRADAR, INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MERCER COUNTY DOCKET NO.: MER-L-000290-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MERCER COUNTY DOCKET NO.: MER-L-000292-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MERCER COUNTY DOCKET NO.: MER-L-000293-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as  
assignee of individuals who are Covered  
Persons, et al.,

Plaintiffs,

v.

PREVILON, LLC, RICHARD ROES 1-10,  
fictitious names of unknown individuals and  
ABC COMPANIES 1-10, fictitious names of  
unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
assignee of individuals who are Covered  
Persons, et al.,

Plaintiffs,

v.

I360, LLC, RICHARD ROES 1-10, fictitious  
names of unknown individuals and ABC  
COMPANIES 1-10, fictitious names of unknown  
entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
assignee of individuals who are Covered  
Persons, et al.,

Plaintiffs,

v.

SCSD HOLDINGS, LLC, RICHARD ROES 1-  
10, fictitious names of unknown individuals and  
ABC COMPANIES 1-10, fictitious names of  
unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MERCER COUNTY  
DOCKET NO.: MER-L-000294-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MERCER COUNTY  
DOCKET NO.: MER-L-000297-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MERCER COUNTY  
DOCKET NO.: MER-L-000299-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as  
assignee of individuals who are Covered  
Persons, et al.,

Plaintiffs,

v.

DYNATA LLC, RICHARD ROES 1-10,  
fictitious names of unknown individuals and  
ABC COMPANIES 1-10, fictitious names of  
unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
assignee of individuals who are Covered  
Persons, et al.,

Plaintiffs,

v.

LIGHTBOX PARENT, L.P., LIGHTBOX  
HOLDINGS, L.P., RICHARD ROES 1-10,  
fictitious names of unknown individuals and  
ABC COMPANIES 1-10, fictitious names of  
unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
assignee of individuals who are Covered  
Persons, et al.,

Plaintiffs,

v.

SMARTY, LLC, SMARTYSTREETS, LLC,  
RICHARD ROES 1-10, fictitious names of  
unknown individuals and ABC COMPANIES 1-  
10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MERCER COUNTY  
DOCKET NO.: MER-L-000308-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MERCER COUNTY  
DOCKET NO.: MER-L-000309-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MERCER COUNTY  
DOCKET NO.: MER-L-000310-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

ADSTRA, LLC, ADSTRA INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, JANE DOE-1, a law enforcement officer, JANE DOE-2, a law enforcement officer, EDWIN MALDONADO, SCOTT MALONEY, JUSTYNA MALONEY, PATRICK COLLIGAN, PETER ANDREYEV, and WILLIAM SULLIVAN,

Plaintiffs,

v.

COCOFINDER.COM, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MERCER COUNTY DOCKET NO.: MER-L-000311-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MERCER COUNTY DOCKET NO.: MER-L-000319-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

AREAPLOT, LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

FIRST DIRECT, INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

TELEPHONEDICTIONARIES.US, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MERCER COUNTY DOCKET NO.: MER-L-000320-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MERCER COUNTY DOCKET NO.: MER-L-000328-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MERCER COUNTY DOCKET NO.: MER-L-000335-24

**CIVIL ACTION**

TO: All Defendants and Counsel of Record

**PLEASE TAKE NOTICE** that on March 28, 2024 at 9:00 a.m., or as soon thereafter as counsel may be heard, the undersigned, attorneys for Plaintiffs will move before the Superior Court of New Jersey, Mercer County, 175 S. Broad Street, Trenton, New Jersey 08608 for an Order pursuant to R. 4:38-1(a) consolidating the aforementioned actions for discovery and case management purposes only.

**PLEASE TAKE FURTHER NOTICE** that, in support of this application, Plaintiffs will rely upon the attached Certification of Rajiv D. Parikh, Esq., as well as the attached supporting Memorandum of Law.

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is also submitted herewith pursuant to R. 1:6-2.

**PLEASE TAKE FURTHER NOTICE** that pursuant to R. 1:6-2(d), Plaintiffs request oral argument if timely opposition is filed by Defendants.

Respectfully submitted,

**GENOVA BURNS LLC**  
*Attorneys for Plaintiffs*

s/ Rajiv D. Parikh  
RAJIV D. PARIKH

Dated: March 12, 2024

**GENOVA BURNS LLC**

Rajiv D. Parikh (032462005)

Kathleen Barnett Einhorn, Esq. (040161992)

494 Broad Street

Newark, New Jersey 07102

Telephone: (973) 533-0777

*Attorneys for Plaintiffs*

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons, et*  
*al.*,

Plaintiffs,

v.

NJ PROPERTY RECORDS, LLC, STATE  
INFORMATION SERVICES LLC, RICHARD  
ROES 1-10, *fictitious names of unknown individuals*  
and ABC COMPANIES 1-10, *fictitious names of*  
*unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons,*  
JANE DOE-1, *a law enforcement officer*, EDWIN  
MALDONADO, SCOTT MALONEY, JUSTYNA  
MALONEY, and PATRICK COLLIGAN,

Plaintiffs,

v.

TRUE SOFTWARE SCANDINAVIA AB,  
RICHARD ROES 1-10, *fictitious names of*  
*unknown individuals* and ABC COMPANIES 1-10,  
*fictitious names of unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MIDDLESEX COUNTY  
DOCKET NO.: MID-L-000811-24

**CIVIL ACTION**

**NOTICE OF MOTION  
TO CONSOLIDATE**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MIDDLESEX COUNTY  
DOCKET NO.: MID-L-000812-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

DIGITAL SAFETY PRODUCTS, LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

INFOPAY, INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

RADARIS, LLC, RADARIS AMERICA, INC., ANDTOP CORP., ALBERA LIMITED BITSELLER EXPERT LIMITED, ACCURACY CONSULTING LTD., VIRTURA CORP., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MIDDLESEX COUNTY DOCKET NO.: MID-L-000814-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MIDDLESEX COUNTY DOCKET NO.: MID-L-000815-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MIDDLESEX COUNTY DOCKET NO.: MID-L-000847-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

ACCURATE APPEND, INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

OUTSIDE INTERACTIVE, INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

GLAD I KNOW INC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MIDDLESEX COUNTY  
DOCKET NO.: MID-L-000848-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MIDDLESEX COUNTY  
DOCKET NO.: MID-L-000849-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MIDDLESEX COUNTY  
DOCKET NO.: MID-L-000850-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

TELTECH SYSTEMS, INC., EPIC ENTERPRISES, LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, JANE DOE-1, a law enforcement officer, JANE DOE-2, a law enforcement officer, SCOTT MALONEY, JUSTYNA MALONEY, PATRICK COLLIGAN, PETER ANDREYEV, and WILLIAM SULLIVAN,

Plaintiffs,

v.

ALLPEOPLE.COM, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MIDDLESEX COUNTY DOCKET NO.: MID-L-000859-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MIDDLESEX COUNTY DOCKET NO.: MID-L-000898-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, JANE DOE-1, a law enforcement officer, JANE DOE-2, a law enforcement officer, EDWIN MALDONADO, SCOTT MALONEY, JUSTYNA MALONEY, PATRICK COLLIGAN, and PETER ANDREYEV,

Plaintiffs,

v.

REVEALNAME.COM, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

VERISK ANALYTICS, INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

SEARCHBUG, INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MIDDLESEX COUNTY  
DOCKET NO.: MID-L-000901-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MIDDLESEX COUNTY  
DOCKET NO.: MID-L-000903-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MIDDLESEX COUNTY  
DOCKET NO.: MID-L-000904-24

**CIVIL ACTION**

<p>Defendants.</p> <p>ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,</p> <p>Plaintiffs,</p> <p>v.</p> <p>FIRST AMERICAN FINANCIAL CORPORATION, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,</p> <p>Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MIDDLESEX COUNTY DOCKET NO.: MID-L-000915-24</p> <p><b><u>CIVIL ACTION</u></b></p>
<p>ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,</p> <p>Plaintiffs,</p> <p>v.</p> <p>6SENSE INSIGHTS, INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,</p> <p>Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MIDDLESEX COUNTY DOCKET NO.: MID-L-000988-24</p> <p><b><u>CIVIL ACTION</u></b></p>
<p>ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,</p> <p>Plaintiffs,</p> <p>v.</p> <p>GIANT PARTNERS, INC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,</p> <p>Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MIDDLESEX COUNTY DOCKET NO.: MID-L-000989-24</p> <p><b><u>CIVIL ACTION</u></b></p>

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

DM GROUP, INC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

INSIDERE, LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

OWMN, LTD., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MIDDLESEX COUNTY  
DOCKET NO.: MID-L-000990-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MIDDLESEX COUNTY  
DOCKET NO.: MID-L-000991-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MIDDLESEX COUNTY  
DOCKET NO.: MID-L-000992-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

AMERILIST INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

PEOPLEWHIZ, INC., RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as assignee of individuals who are Covered Persons, et al.,

Plaintiffs,

v.

STIRISTA, LLC, RICHARD ROES 1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MIDDLESEX COUNTY  
DOCKET NO.: MID-L-001052-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MIDDLESEX COUNTY  
DOCKET NO.: MID-L-001063-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MIDDLESEX COUNTY  
DOCKET NO.: MID-L-001221-24

**CIVIL ACTION**

TO: All Defendants and Counsel of Record

**PLEASE TAKE NOTICE** that on March 28, 2024 at 9:00 a.m., or as soon thereafter as counsel may be heard, the undersigned, attorneys for Plaintiffs will move before the Superior Court of New Jersey, Middlesex County, 56 Paterson Street, New Brunswick, New Jersey 08901 for an Order pursuant to R. 4:38-1(a) consolidating the aforementioned actions for discovery and case management purposes only.

**PLEASE TAKE FURTHER NOTICE** that, in support of this application, Plaintiffs will rely upon the attached Certification of Rajiv D. Parikh, Esq., as well as the attached supporting Memorandum of Law.

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is also submitted herewith pursuant to R. 1:6-2.

**PLEASE TAKE FURTHER NOTICE** that pursuant to R. 1:6-2(d), Plaintiffs request oral argument if timely opposition is filed by Defendants.

Respectfully submitted,

**GENOVA BURNS LLC**  
*Attorneys for Plaintiffs*

s/ Rajiv D. Parikh  
RAJIV D. PARIKH

Dated: March 12, 2024

**GENOVA BURNS LLC**

Rajiv D. Parikh (032462005)

Kathleen Barnett Einhorn, Esq. (040161992)

494 Broad Street

Newark, New Jersey 07102

Telephone: (973) 533-0777

*Attorneys for Plaintiffs*

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.,*

Plaintiffs,

v.

PIPL, INC., RICHARD ROES 1-10, RICHARD  
ROES 1-10, *fictitious names of unknown*  
*individuals* and ABC COMPANIES 1-10,  
*fictitious names of unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.,*

Plaintiffs,

v.

RED VIOLET, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000481-24

**CIVIL ACTION**

**NOTICE OF MOTION  
TO CONSOLIDATE**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000482-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

DATA AXLE, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

PEOPLECONNECT, INC.,  
PEOPLECONNECT HOLDINGS, INC.,  
INTELIUS, LLC, PEOPLECONNECT  
INTERMEDIATE, LLC, RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

BATCHSERVICE LLC, RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000483-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000484-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000485-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

JOY ROCKWELL ENTERPRISES, INC  
DBA POSTCARDMANIA PCM LLC,  
RICHARD ROES 1-10, *fictitious names of*  
*unknown individuals* and ABC COMPANIES 1-  
10, *fictitious names of unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

CHECKPEOPLE, LLC, RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

WILLIAM R. WETZEL, WENDY E.  
WETZEL, RICHARD ROES 1-10, *fictitious*  
*names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000486-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000506-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000507-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

BELLES CAMP COMMUNICATIONS  
INC., RICHARD ROES 1-10, *fictitious names of*  
*unknown individuals* and ABC COMPANIES 1-  
10, *fictitious names of unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

RESTORATION OF AMERICA, VOTER  
REFERENCE FOUNDATION LLC, RICHARD  
ROES 1-10, *fictitious names of unknown*  
*individuals* and ABC COMPANIES 1-10,  
*fictitious names of unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

WELLNUT.COM, RICHARD ROES 1-10,  
fictitious names of unknown individuals and ABC  
COMPANIES 1-10, fictitious names of unknown  
entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000508-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000510-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000512-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

PEOPLE DATA LABS, INC., RICHARD ROES  
1-10, *fictitious names of unknown individuals* and  
ABC COMPANIES 1-10, *fictitious names of*  
*unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
assignee of individuals who are Covered Persons,  
et al.,

Plaintiffs,

v.

SEARCH QUARRY, LLC, RICHARD ROES 1-  
10, fictitious names of unknown individuals and  
ABC COMPANIES 1-10, fictitious names of  
unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

PETER KAWASAKI, RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000515-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000516-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000517-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

EPSILON DATA MANAGEMENT, LLC,  
CONVERSANT LLC, CITRUS AD  
INTERNATIONAL, INC., RICHARD ROES 1-  
10, *fictitious names of unknown individuals* and  
ABC COMPANIES 1-10, *fictitious names of*  
*unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

COMPACT INFORMATION SYSTEMS,  
LLC, ACCUDATA INTEGRATED  
MARKETING, INC., ALUMNIFINDER,  
ASL MARKETING, INC., COLLEGE  
BOUND SELECTION SERVICE,  
DEEPSYNC LABS, HOMEDATA,  
STUDENT RESEARCH GROUP, RICHARD  
ROES 1-10, *fictitious names of unknown*  
*individuals* and ABC COMPANIES 1-10,  
*fictitious names of unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000533-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000534-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

EQUIMINE, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

NEIGHBOR.REPORT, RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

SPECIALISTS MARKETING SERVICES,  
INC., RICHARD ROES 1-10, *fictitious names of*  
*unknown individuals* and ABC COMPANIES 1-  
10, *fictitious names of unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000535-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000537-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000539-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

ACCUZIP, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

WILAND, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

LTRAC LLC, BUILDOUT, INC., RICHARD  
ROES 1-10, *fictitious names of unknown*  
*individuals* and ABC COMPANIES 1-10,  
*fictitious names of unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000554-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000577-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000694-24

**CIVIL ACTION**

TO: All Defendants and Counsel of Record

**PLEASE TAKE NOTICE** that on March 28, 2024 at 9:00 a.m., or as soon thereafter as counsel may be heard, the undersigned, attorneys for Plaintiffs will move before the Superior Court of New Jersey, Monmouth County, 71 Monmouth Street, Freehold, New Jersey 07728 for an Order pursuant to R. 4:38-1(a) consolidating the aforementioned actions for discovery and case management purposes only.

**PLEASE TAKE FURTHER NOTICE** that, in support of this application, Plaintiffs will rely upon the attached Certification of Rajiv D. Parikh, Esq., as well as the attached supporting Memorandum of Law.

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is also submitted herewith pursuant to R. 1:6-2.

**PLEASE TAKE FURTHER NOTICE** that pursuant to R. 1:6-2(d), Plaintiffs request oral argument if timely opposition is filed by Defendants.

Respectfully submitted,

**GENOVA BURNS LLC**  
*Attorneys for Plaintiffs*

*s/ Rajiv D. Parikh*  
RAJIV D. PARIKH

Dated: March 12, 2024



**GENOVA BURNS LLC**

Rajiv D. Parikh (032462005)

Kathleen Barnett Einhorn, Esq. (040161992)

494 Broad Street

Newark, New Jersey 07102

Telephone: (973) 533-0777

*Attorneys for Plaintiffs*

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.,*

Plaintiffs,

v.

MELISSA DATA CORP, RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.,*

Plaintiffs,

v.

NUWBER, INC., RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.,*

Plaintiffs,

v.

TWILIO INC., RICHARD ROES 1-10, *fictitious names of unknown individuals* and

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000224-24

**CIVIL ACTION**

**NOTICE OF MOTION  
TO CONSOLIDATE**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000225-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000226-24

**CIVIL ACTION**

ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.*,

Plaintiffs,

v.

SPOKEO, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and  
ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.*,

Plaintiffs,

v.

ZENLEADS INC. D/B/A APOLLO.IO,  
ZENLEADS HOLDINGS LLC, RICHARD  
ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10,  
*fictitious names of unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000227-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000228-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.,*

Plaintiffs,

v.

411.INFO CORP., RICHARD ROES 1-10,  
*fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,*

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.,*

Plaintiffs,

v.

DATABASEUSA.COM LLC, RICHARD ROES 1-10, *fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,*

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.,*

Plaintiffs,

v.

REIPRO LLC, RICHARD ROES 1-10,  
*fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,*

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000229-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000230-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000231-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered  
Persons, et al.,*

Plaintiffs,

v.

CALLERSMART INC., RICHARD ROES 1-  
10, *fictitious names of unknown individuals* and  
ABC COMPANIES 1-10, *fictitious names of  
unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered  
Persons, et al.,*

Plaintiffs,

v.

SKOPENOW, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and  
ABC COMPANIES 1-10, *fictitious names of  
unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered  
Persons, et al.,*

Plaintiffs,

v.

DEHASHED.COM, RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and  
ABC COMPANIES 1-10, *fictitious names of  
unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000237-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000241-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000242-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered  
Persons, et al.,*

Plaintiffs,

v.

BLACKBAUD, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals and  
ABC COMPANIES 1-10, fictitious names of  
unknown entities,*

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered  
Persons, et al.,*

Plaintiffs,

v.

DELVEPOINT, LLC, RICHARD ROES 1-10,  
*fictitious names of unknown individuals and  
ABC COMPANIES 1-10, fictitious names of  
unknown entities,*

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered  
Persons, et al.,*

Plaintiffs,

v.

INFORMATION.COM LLC, RICHARD  
ROES 1-10, *fictitious names of unknown  
individuals and ABC COMPANIES 1-10,  
fictitious names of unknown entities,*

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000243-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000244-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000245-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered  
Persons, et al.,*

Plaintiffs,

v.

LOCATEPLUS HOLDINGS  
CORPORATION (F.K.A. LOCATE  
PLUS.COM, F.K.A. WORLDWIDE  
INFORMATION INC.), RICHARD ROES 1-  
10, *fictitious names of unknown individuals* and  
ABC COMPANIES 1-10, *fictitious names of  
unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
as assignee of individuals who are Covered  
Persons, et al.,

Plaintiffs,

v.

VERICORA.COM, RICHARD ROES 1-10,  
fictitious names of unknown individuals and  
ABC COMPANIES 1-10, fictitious names of  
unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered  
Persons, et al.,*

Plaintiffs,

v.

CLUSTRMAPS.COM, RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and  
ABC COMPANIES 1-10, *fictitious names of  
unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000247-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000249-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000256-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.*,

Plaintiffs,

v.

THE PEOPLE SEARCHERS, LLC, RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000257-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.*,

Plaintiffs,

v.

REMINE INC., RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000258-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.*,

Plaintiffs,

v.

SPY DIALER, INC., RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000259-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered  
Persons, et al.,*

Plaintiffs,

v.

TELNYX LLC, RICHARD ROES 1-10,  
*fictitious names of unknown individuals and  
ABC COMPANIES 1-10, fictitious names of  
unknown entities,*

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered  
Persons, et al.,*

Plaintiffs,

v.

THRYV, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals and  
ABC COMPANIES 1-10, fictitious names of  
unknown entities,*

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered  
Persons, et al.,*

Plaintiffs,

v.

SPYCLOUD, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals and  
ABC COMPANIES 1-10, fictitious names of  
unknown entities,*

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000260-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000261-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000263-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered  
Persons, et al.,*

Plaintiffs,

v.

CARCO GROUP INC., INTELLICORP  
RECORDS, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals and  
ABC COMPANIES 1-10, fictitious names of  
unknown entities,*

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered  
Persons, et al.,*

Plaintiffs,

v.

COMMERCIAL REAL ESTATE  
EXCHANGE, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals and  
ABC COMPANIES 1-10, fictitious names of  
unknown entities,*

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered  
Persons, et al.,*

Plaintiffs,

v.

INNOVIS DATA SOLUTIONS, INC.,  
RICHARD ROES 1-10, *fictitious names of  
unknown individuals and ABC COMPANIES  
1-10, fictitious names of unknown entities,*

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000270-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000271-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000285-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.,*

Plaintiffs,

v.

SAP AMERICA, INC, RICHARD ROES 1-10,  
*fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,*

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.,*

Plaintiffs,

v.

THOMSON REUTERS CORPORATION,  
THOMSON REUTERS HOLDINGS INC.,  
THOMSON REUTERS CANADA LIMITED,  
THOMSON REUTERS APPLICATIONS INC., RICHARD ROES 1-10, *fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,*

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.,*

Plaintiffs,

v.

US DATA CORPORATION, RICHARD ROES 1-10, *fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,*

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000286-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000320-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000323-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.,*

Plaintiffs,

v.

THE OPEN DATA PEOPLE, INC, RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.,*

Plaintiffs,

v.

WE INFORM, LLC, RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.,*

Plaintiffs,

v.

AGR GROUP INC., RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000325-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000379-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
DOCKET NO.: MRS-L-000483-24

**CIVIL ACTION**

TO: All Defendants and Counsel of Record

**PLEASE TAKE NOTICE** that on March 28, 2024 at 9:00 a.m., or as soon thereafter as counsel may be heard, the undersigned, attorneys for Plaintiffs will move before the Superior Court of New Jersey, Morris County, 56 Washington Street, Morristown, New Jersey 07960 for an Order pursuant to R. 4:38-1(a) consolidating the aforementioned actions for discovery and case management purposes only.

**PLEASE TAKE FURTHER NOTICE** that, in support of this application, Plaintiffs will rely upon the attached Certification of Rajiv D. Parikh, Esq., as well as the attached supporting Memorandum of Law.

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is also submitted herewith pursuant to R. 1:6-2.

**PLEASE TAKE FURTHER NOTICE** that pursuant to R. 1:6-2(d), Plaintiffs request oral argument if timely opposition is filed by Defendants.

Respectfully submitted,

**GENOVA BURNS LLC**  
*Attorneys for Plaintiffs*

s/ Rajiv D. Parikh  
RAJIV D. PARIKH

Dated: March 12, 2024

# **Exhibit H**

Superior Court of New Jersey  
Monmouth County  
Law Division

ATLAS DATA PRIVACY CORPORATION, AS ASSIGNEE  
OF INDIVIDUALS WHO ARE COVERED PERSONS, ET  
A,

Case No.: MON L 533 24

Plaintiff,  
vs.

EPSILON DATA MANAGEMENT, LLC, ET AL,

Defendant.

AFFIDAVIT OF SERVICE



I, Ernest L. Johnson, an employee of GUARANTEED SUBPOENA SERVICE, INC., being first duly sworn on oath, depose and say the following:

I am over the age of 18 years old and not a party to this action.

On February 22, 2024 at 11:30 AM, I served the within LETTER, SUMMONS, DOCUMENT PRESERVATION NOTICE, FIRST REQUEST FOR THE PRODUCTION OF DOCUMENTS, FIRST SET OF INTERROGATORIES, COMPLAINT, TRACK ASSIGNMENT NOTICE, CIS, CERTIFICATIONS on CONVERSANT LLC, C/O C T CORPORATION SYSTEM in the following manner:

**Corporate Service:** By leaving a copy of the LETTER, SUMMONS, DOCUMENT PRESERVATION NOTICE, FIRST REQUEST FOR THE PRODUCTION OF DOCUMENTS, FIRST SET OF INTERROGATORIES, COMPLAINT, TRACK ASSIGNMENT NOTICE, CIS, CERTIFICATIONS with **Khalilah Starks, Intake Specialist**, an officer or agent of **CONVERSANT LLC, C/O C T CORPORATION SYSTEM**.

Service was effected at 208 S LASALLE ST., SUITE 814 , CHICAGO, IL 60604.

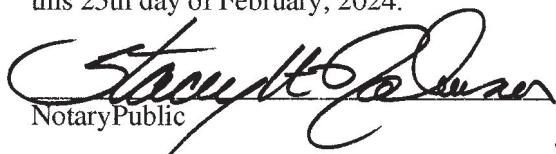
Comments: Date: Thu, Feb 22, 2024 Time: 1:29 PM Intake Specialist: Khalilah Starks Juris Served: IL Job ID: 420278 C. T. Corporation System now requires the cases be pre-registered online via their website portal; Then physically dropped off in a designated bin outside their office door along with the emailed job confirmation number document attached to the documents being delivered. A confirmation email is sent to the process server confirming the receipt by C. T. Corporation.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

Further the affiant sayeth naught.

X   
Ernest L. Johnson  
PERC: 117.000912

Signed and sworn to before me on  
this 25th day of February, 2024.

  
Notary Public

GUARANTEED SUBPOENA SERVICE, INC.  
2009 MORRIS AVENUE  
UNION, NJ 07083

908-687-0056

File:20240221171723



# **Exhibit I**

ATLAS DATA PRIVACY CORPORATION, AS ASSIGNEE OF INDIVIDUALS WHO ARE COVERED PERSONS, ET AL

Plaintiff

VS

EPSILON DATA MANAGEMENT, LLC, ET AL

Defendant



20240221171825

Superior Court Of New Jersey

MONMOUTH Venue

Docket Number: MON L 533 24

Person to be served (Name and Address):  
EPSILON DATA MANAGEMENT, LLC,  
7700 E ARAPAHOE RD STE 220  
CENTENNIAL CO 80112  
By serving: CT CORPORATION SYSTEM

Attorney: RAJIV D. PARIKH, ESQ.

Papers Served: LETTER, SUMMONS, DOCUMENT PRESERVATION NOTICE, FIRST REQUEST FOR THE PRODUCTION OF DOCUMENTS, FIRST SET OF INTERROGATORIES, COMPLAINT, TRACK ASSIGNMENT NOTICE, CIS, CERTIFICATIONS

Service Data:  Served Successfully

Not Served

Date/Time:

2/23/24

12:22PM

Delivered a copy to him/her personally

Left a copy with a competent household member over 14 years of age residing therein (indicate name & relationship at right)

Left a copy with a person authorized to accept service, e.g. managing agent, registered agent, etc. (indicate name & official title at right)

Description of Person Accepting Service:

SEX:  AGE: 30s HEIGHT: 5'10 WEIGHT: 120 SKIN: white HAIR: blonde OTHER: None

Unserved:

- Defendant is unknown at the address furnished by the attorney
- All reasonable inquiries suggest defendant moved to an undetermined address
- No such street in municipality
- Defendant is evading service
- Appears vacant
- No response on:

Date/Time: \_\_\_\_\_  
Date/Time: \_\_\_\_\_  
Date/Time: \_\_\_\_\_

Other:

To Be Used Where Electronic Signature Not Available  
Served Date:

Subscribed and Sworn to me this

26 day of Feb, 2024

Notary Signature:

Name of Notary:  Commission Expiration:

DocuSign Court Approved E-Signature



was at the time of service a competent adult, over the age of 18 and not having direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct.

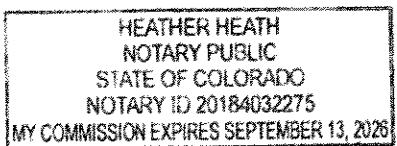
Signature of Process Server

2/26/24

Date

Name of Private Server:  Address: 2009 Morris Avenue UNION, NJ 07083 Phone: (800) 672-1952

1760



# **Exhibit J**

ATLAS DATA PRIVACY CORPORATION, AS ASSIGNEE OF INDIVIDUALS WHO ARE COVERED  
PERSONS, ET A

Trans ID: LCV2024752482  
Page 244 of 293 PageID: 244

20240221171519

Plaintiff

VS

EPSILON DATA MANAGEMENT, LLC, ET AL

Defendant

**Person to be served (Name and Address):**

CITRUS AD INTERNATIONAL, INC,  
200 CENTRAL AVENUE

SAINT PETERSBURG FL 33701

**By serving:** CT CORPORATION SYSTEM

**Attorney:** RAJIV D. PARIKH, ESQ.

**Papers Served:** LETTER, SUMMONS, DOCUMENT PRESERVATION NOTICE,  
FIRST REQUEST FOR THE PRODUCTION OF DOCUMENTS, FIRST SET OF  
INTERROGATORIES, COMPLAINT, TRACK ASSIGNMENT NOTICE, CIS,  
CERTIFICATIONS

**Service Data:**  Served Successfully

Not Served

Date/Time: 2/26/24

440 PM

Delivered a copy to him/her personally

Left a copy with a competent household member over 14 years of age residing  
therein (indicate name & relationship at right)

Left a copy with a person authorized to accept service, e.g. managing agent,  
registered agent, etc. (indicate name & official title at right)

**Description of Person Accepting Service:**

SEX: \_\_\_\_\_ AGE: \_\_\_\_\_ HEIGHT: \_\_\_\_\_ WEIGHT: \_\_\_\_\_ SKIN: \_\_\_\_\_ HAIR: \_\_\_\_\_ OTHER: \_\_\_\_\_

**Unserved:**

Defendant is unknown at the address furnished by the attorney  
 All reasonable inquiries suggest defendant moved to an undetermined address  
 No such street in municipality  
 Defendant is evading service  
 Appears vacant

No response on:

Date/Time: \_\_\_\_\_  
Date/Time: \_\_\_\_\_  
Date/Time: \_\_\_\_\_

Service: \_\_\_\_\_  
Other: \_\_\_\_\_

*CITRUS AD INTERNATIONAL NOR CT Corporation Located AT THE  
ADDRESS, NO SUITE ON DIRECTORY*

**To Be Used Where Electronic Signature Not Available**

**Served Data:**

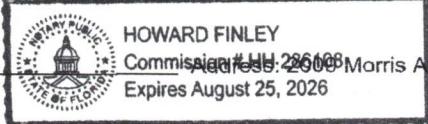
Subscribed and Sworn to me this

26 day of February, 20 24

Notary Signature: Howard Finley

Name of Notary: Howard Finley

Commission Expiration



Name of Private Server: Howard Finley

**Docusign Court Approved E-Signature**

I, Howard Finley, was at the time of service a competent adult, over the age of 18 and not having direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct.

Howard Finley  
Signature of Process Server

2/26/24  
Date

*Finley 2024-383*

# **Exhibit K**

[WATCH LIVE](#)**SMALL BUSINESS**

# Here's why more than 60% of Fortune 500 companies are incorporated in Delaware

PUBLISHED MON, MAR 13 2023 8:00 AM EDT



Charlotte Morabito  
[@IN/CHARLOTTEMORABITO/](#)

[WATCH LIVE](#)**VIDEO** 12:50**Why big and small businesses flock to Delaware****KEY POINTS**

More than 60% of Fortune 500 companies are incorporated in Delaware, according to the state, including Alphabet, Amazon, CVS, and CNBC parent company Comcast.



Delaware is the second-smallest state in the U.S. But it's home to more than 60% of Fortune 500 companies, the state says, including Google parent company Alphabet, Amazon, CVS Health, and CNBC parent company Comcast.

"[Delaware] has a lot of appeal for basically three main reasons: convenience, flexibility and predictability," Roey Gilberg, corporate counsel for LegalZoom, told CNBC.

One of Delaware's major advantages is its Court of Chancery, which is a separate court system specifically for handling corporate cases.

The court is "widely respected as an authority on business matters trusted by both business and legal communities, honestly, all over the world, as a place where the rules are well developed," Gilberg said.

The predictable case law also gives investors peace of mind. [More than 90% of U.S.-based](#) companies that went public in 2021 were registered in Delaware, according to the state.

Delaware law is also attractive to many small businesses.

Cleanster.com, a platform for finding cleaning services for homes and short-term rentals, is incorporated in Delaware despite both co-founders being based in Montreal, Canada.

"When you want to go global and you've incorporated in Canada, no one is going to look at you at all," said Cleanster.com co-founder and CEO Gloria Oppong. "Delaware protects both ourselves, the entrepreneurs, and also the investors eventually that are going to be joining on."

[WATCH LIVE](#)

~~businesses, but saving on taxes may not be enough of an incentive for small businesses to incorporate in Delaware.~~

“It’s a misnomer that Delaware is a tax haven for corporations,” said Gigi Tewari, assistant professor at Widener University Delaware Law School. “So many people believe that, I should incorporate my business in Delaware because I’m going to save so much on corporate tax. Actually, Delaware is on the higher end for corporate tax.”

**Watch the [video](#) above to learn more about why so many businesses are flocking to Delaware.**

---

#### RECOMMENDED VIDEO



**VIDEO** 12:51

**Here are the worst states for worker protections in the U.S.**



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Data is a real-time snapshot \*Data is delayed at least 15 minutes. Global Business and Financial News, Stock Quotes, and Market Data and Analysis.

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WATCH LIVE

# **Exhibit L**

NEW JERSEY DEPARTMENT OF THE TREASURY  
DIVISION OF REVENUE AND ENTERPRISE SERVICES

**CERTIFICATE OF AUTHORITY**

**ATLAS DATA PRIVACY CORPORATION  
0451071286**

The above-named FOREIGN FOR-PROFIT CORPORATION was duly filed in accordance with New Jersey State Law on 01/12/2024 and was assigned identification number 0451071286. Following are the articles that constitute its original certificate.

**1. Name:**

ATLAS DATA PRIVACY CORPORATION

**2. Registered Agent:**

REGISTERED AGENTS INC.

**3. Registered Office:**

FIVE GREENTREE CENTRE, 525 ROUTE 73  
STE 104  
MARLTON, NEW JERSEY 08053

**4. Business Purpose:**

DATA SERVICES

**5. Incorporated Under the Laws of:**

DELAWARE ON 04/27/2021

**6. Effective Date of this filing is:**

01/12/2024

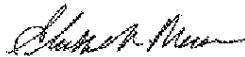
**7. Main Business Address:**

180 TALMADGE RD #218  
EDISON, NEW JERSEY 08817

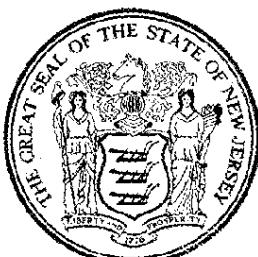
**Signatures:**

MATT ADKISSON  
PRESIDENT

*IN TESTIMONY WHEREOF, I have  
hereunto set my hand and  
affixed my Official Seal  
12th day of January, 2024*



*Elizabeth Maher Muoio  
State Treasurer*



*Certificate Number : 4230928779*

*Verify this certificate online at*

*[https://www1.state.nj.us/TYTR\\_StandingCert/JSP/Verify\\_Cert.jsp](https://www1.state.nj.us/TYTR_StandingCert/JSP/Verify_Cert.jsp)*

NEW JERSEY DEPARTMENT OF THE TREASURY  
DIVISION OF REVENUE AND ENTERPRISE SERVICES

**CERTIFICATE OF AUTHORITY**

**ATLAS DATA PRIVACY CORPORATION  
0451071286**

# Delaware

The First State

Page 1

*I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF  
DELAWARE, DO HEREBY CERTIFY "ATLAS DATA PRIVACY CORPORATION" IS  
DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN  
GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE  
RECORDS OF THIS OFFICE SHOW, AS OF THE TWELFTH DAY OF JANUARY, A.D.  
2024.*

*AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL REPORTS HAVE  
BEEN FILED TO DATE.*

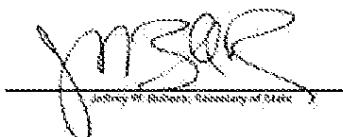
*AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "ATLAS DATA  
PRIVACY CORPORATION" WAS INCORPORATED ON THE TWENTY-SEVENTH DAY OF  
APRIL, A.D. 2021.*

*AND I DO HEREBY FURTHER CERTIFY THAT THE FRANCHISE TAXES HAVE  
BEEN PAID TO DATE.*

5874663 8300

SR# 20240114553

You may verify this certificate online at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)



Jeffrey W. Bullock, Secretary of State

Authentication: 202587500

Date: 01-12-24

# **Exhibit M**



**GOVERNMENTAL AFFAIRS AGENT**  
**NOTICE OF REPRESENTATION**  
**(For Registering a Represented Entity)**

**FORM NR**

FOR STATE USE ONLY

ELEC Received  
Apr 10, 2023 9:25 PM

**NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION**  
 P.O. Box 185, Trenton, NJ 08625-0185  
 (609) 292-8700 or Toll Free Within NJ 1-888-313-ELEC (3532)  
 Website: [www.elec.state.nj.us](http://www.elec.state.nj.us)

**Name of Governmental Affairs Agent**

First Name Rajiv Last Name Parikh  
 Badge Number 1557-7  Amendment Specify \_\_\_\_\_  
 Business Name Genova Burns  
 Business Address 494 Broad Street  
 \_\_\_\_\_  
 City Newark State NJ Zip Code 07102  
 \_\_\_\_\_  
 \*(Area Code) Telephone Number 973-533-0777

(Part I)

The following questions pertain to the represented entity from whom the Governmental Affairs Agent (GAA) receives compensation for acting as a GAA.

1. State the full name, business address, and occupation or principal business of the represented entity from whom the GAA receives compensation:

Name of Represented Entity Atlas Privacy  
 Address 2810 N Church Street, Unit 72500  
 \_\_\_\_\_  
 City Wilmington State DE Zip Code 19802  
 Occupation or Principal Business Data privacy

2. If the represented entity named above is a membership organization or corporation whose name or occupation does not clearly reveal the interest in which it seeks advancement through the services of its GAA, please complete the information below:

A. Describe the represented entity's primary economic, social, political, or other interest:

B. List the person(s) having organizational or financial control of the membership organization or corporation:

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Occupation \_\_\_\_\_

3. State the full name, business address, and occupation or principal business of any person or entity in whose interest the GAA acts in consideration of the compensation paid, if such person or entity is other than the represented entity listed above in Question #1 of Part I.

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Occupation or Principal Business \_\_\_\_\_

(Part II)

Check one of the following

The Represented Entity will be represented by the GAA filing this NR.  
 The Represented Entity will be represented by all GAAs registered under the Business Name indicated herein.  
 The Represented Entity will be represented by specific GAAs registered under the Business Name indicated herein. They are listed below.

Please list the type(s) of, and any specific, legislation, regulation(s), or governmental process(es), in which the within GAA(s) will be promoting or opposing on behalf of the Represented Entity.

Data protection and privacy

Registration Number: \*\*\*\*\*

PIN: \*\*\*\*\*

RAJIV D PARIKH

Signature of Governmental Affairs Agent

04/10/2023

Date

# **Exhibit N**



## ANNUAL REPORT

OF

## GOVERNMENTAL AFFAIRS AGENT

## NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

P.O. Box 185, Trenton, NJ 08625-0185

Phone: (609) 292-8700

Website: www.elec.nj.gov

ELEC Received

Feb 14 2024  
03:36 PM

FOR STATE USE ONLY

Amendment 

Name of Governmental Affairs Agent or Governmental Affairs Agent Firm:

Genova Burns LLC

Business Address 494 Broad StreetCity Newark State NJ Zip Code 07102\*(Area Code) Telephone Number 973-533-0777

## 1. Provide the following information regarding the Governmental Affairs Agent(s) on whose behalf this report is filed.

1. Name Angelo J. GenovaBadge Number 1557-1 Occupation or Business AttorneyBusiness Address 494 Broad StreetCity Newark State NJ Zip Code 07102\*(Area Code) Telephone Number 973-533-07772. Name Nicholas R. AmatoBadge Number 1557-5 Occupation or Business AttorneyBusiness Address 494 Broad StreetCity Newark State NJ Zip Code 07102\*(Area Code) Telephone Number 973-533-07773. Name Rajiv D. ParikhBadge Number 1557-7 Occupation or Business AttorneyBusiness Address 494 Broad StreetCity Newark State NJ Zip Code 07102\*(Area Code) Telephone Number 973-533-07774. Name Avi D. KelinBadge Number 1557-8 Occupation or Business AttorneyBusiness Address 494 Broad StreetCity Newark State NJ Zip Code 07102\*(Area Code) Telephone Number 973-533-0777

5. Name	<u>William F. Megna</u>		
Badge Number	<u>1557-9</u>	Occupation or Business	<u>Attorney</u>
Business Address	<u>494 Broad Street</u>		
City	<u>Newark</u>	State	<u>NJ</u>
Zip Code <u>07102</u>			
*(Area Code) Telephone Number <u>973-533-0777</u>			

\*Leave this field blank if your telephone number is unlisted. Pursuant to N.J.S.A. 47:1A-1.1, an unlisted telephone number is not a public record and must not be provided on this form.

## 2. Provide the following information concerning all Represented Entities.

NOTE: Represented Entities who designate this report to include all of their activity must file Form L-2.

**RECEIPT AMOUNT**

**PURPOSE:** To report all fees, retainers, allowances, reimbursement of expenses, or other compensation received from Represented Entities for the purpose of influencing legislation, regulations, governmental processes, or communicating with the general public.

**NOTE:** Report only the pro rata share of each receipt which is related to influencing legislation, regulations, governmental processes, or communicating with the general public.

1. Name of Represented Entity Scientific Games Corp

Business Address 6650 S. El Camino Road

City Las Vegas State NV Zip Code 89118

**RECEIPT AMOUNT**

Type of Business Gaming Services

0.00

Check if communication with the general public ("Grassroots Lobbying") was the **only** lobbying activity for this entity.

Check if the Represented Entity is designating this report to indicate all of their activity.

2. Name of Represented Entity New Meadowlands Racetrack LLC

Business Address 1 Racetrack Drive

City East Rutherford State NJ Zip Code 07073

**RECEIPT AMOUNT**

Type of Business Racetrack Operator

0.00

Check if communication with the general public ("Grassroots Lobbying") was the **only** lobbying activity for this entity.

Check if the Represented Entity is designating this report to indicate all of their activity.

3. Name of Represented Entity 14-16 Burma Road Industrial LLC dba SAK Structures LLC

Business Address 14 Burma Road

City Jersey City State NJ Zip Code 07305

**RECEIPT AMOUNT**

Type of Business Real Estate

0.00

Check if communication with the general public ("Grassroots Lobbying") was the **only** lobbying activity for this entity.

Check if the Represented Entity is designating this report to indicate all of their activity.

4. Name of Represented Entity BioReference Laboratories, Inc.

Business Address 481 Edward H. Ross Drive

City Elmwood Park State NJ Zip Code 07407

**RECEIPT AMOUNT**22,490.00

Type of Business Laboratory Services

Check if communication with the general public ("Grassroots Lobbying") was the **only** lobbying activity for this entity.

Check if the Represented Entity is designating this report to indicate all of their activity.

5. Name of Represented Entity	Atlantic Amateur Hockey Association		
Business Address	PO Box 291		
City	Ho Ho Kus	State	NJ Zip Code 07423
Type of Business	Amateur Hockey Association		
<b>RECEIPT AMOUNT</b>			
0.00			
<input type="checkbox"/> Check if communication with the general public ("Grassroots Lobbying") was the <b>only</b> lobbying activity for this entity. <input checked="" type="checkbox"/> Check if the Represented Entity is designating this report to indicate all of their activity.			
6. Name of Represented Entity	Association Master Trust		
Business Address	636 Morris Turnpike, Ste. 2A		
City	Short Hills	State	NJ Zip Code 07078
Type of Business	self-funded multiple employer welfare arrangement		
<b>RECEIPT AMOUNT</b>			
0.00			
<input type="checkbox"/> Check if communication with the general public ("Grassroots Lobbying") was the <b>only</b> lobbying activity for this entity. <input checked="" type="checkbox"/> Check if the Represented Entity is designating this report to indicate all of their activity.			
7. Name of Represented Entity	New Jersey Restaurant and Hospitality Association		
Business Address	126 West State Street		
City	Trenton	State	NJ Zip Code 08608
Type of Business	Trade Association for Restaurant and Hospitality Industry		
<b>RECEIPT AMOUNT</b>			
0.00			
<input type="checkbox"/> Check if communication with the general public ("Grassroots Lobbying") was the <b>only</b> lobbying activity for this entity. <input type="checkbox"/> Check if the Represented Entity is designating this report to indicate all of their activity.			
8. Name of Represented Entity	SB Hoboken Propco, LLC		
Business Address	175 Belgrove Drive		
City	Kearny	State	NJ Zip Code 07032
Type of Business	Real Estate		
<b>RECEIPT AMOUNT</b>			
0.00			
<input type="checkbox"/> Check if communication with the general public ("Grassroots Lobbying") was the <b>only</b> lobbying activity for this entity. <input checked="" type="checkbox"/> Check if the Represented Entity is designating this report to indicate all of their activity.			
9. Name of Represented Entity	EDP Soccer		
Business Address	8 Cornwall Court		
City	East Brunswick	State	NJ Zip Code 08816
Type of Business	Youth Soccer		
<b>RECEIPT AMOUNT</b>			
0.00			
<input type="checkbox"/> Check if communication with the general public ("Grassroots Lobbying") was the <b>only</b> lobbying activity for this entity. <input checked="" type="checkbox"/> Check if the Represented Entity is designating this report to indicate all of their activity.			

10. Name of Represented Entity	State Fair Group		
Business Address	331 Newman Springs Road		
City	Red Bank	State	NJ Zip Code 07701
Type of Business	Operation of Amusement Park		
			RECEIPT AMOUNT
			850.00
<input type="checkbox"/> Check if communication with the general public ("Grassroots Lobbying") was the <b>only</b> lobbying activity for this entity. <input checked="" type="checkbox"/> Check if the Represented Entity is designating this report to indicate all of their activity.			
11. Name of Represented Entity	Parkway Autonomous Inc.		
Business Address	146 Wolcott Street		
City	Brooklyn	State	NY Zip Code 11231
Type of Business	Transportation		
			RECEIPT AMOUNT
			0.00
<input type="checkbox"/> Check if communication with the general public ("Grassroots Lobbying") was the <b>only</b> lobbying activity for this entity. <input checked="" type="checkbox"/> Check if the Represented Entity is designating this report to indicate all of their activity.			
12. Name of Represented Entity	New Jersey Democratic State Committee		
Business Address	142 W State Street		
City	Trenton	State	NJ Zip Code 08608
Type of Business	Political Party		
			RECEIPT AMOUNT
			6,765.00
<input type="checkbox"/> Check if communication with the general public ("Grassroots Lobbying") was the <b>only</b> lobbying activity for this entity. <input type="checkbox"/> Check if the Represented Entity is designating this report to indicate all of their activity.			
13. Name of Represented Entity	Atlas Privacy		
Business Address	2810 N Church Street, Unit 72500		
City	Wilmington	State	DE Zip Code 19802
Type of Business	Data Privacy		
			RECEIPT AMOUNT
			0.00
<input type="checkbox"/> Check if communication with the general public ("Grassroots Lobbying") was the <b>only</b> lobbying activity for this entity. <input type="checkbox"/> Check if the Represented Entity is designating this report to indicate all of their activity.			
14. Name of Represented Entity	CEP Renewables		
Business Address	331 Newman Springs Road		
City	Red Bank	State	NJ Zip Code 07701
Type of Business	Solar Developer		
			RECEIPT AMOUNT
			0.00
<input type="checkbox"/> Check if communication with the general public ("Grassroots Lobbying") was the <b>only</b> lobbying activity for this entity. <input type="checkbox"/> Check if the Represented Entity is designating this report to indicate all of their activity.			

1. Provide the following information for any Governmental Affairs Agent named in this Annual Report who served as a member of:

- any independent State authority;
- any county improvement authority;
- any municipal utilities authority;
- any inter-State or bi-State authority as a member from New Jersey; or,
- any board or commission established by statute or resolution, or by executive order of the Governor, or by the Legislature, or by any Agency, Department or other instrumentality of the State.

(If this question does not apply, move on to question 2.)

Name of Governmental Affairs Agent \_\_\_\_\_

Name of Authority, Board, or Commission \_\_\_\_\_

Date When Term of Service Expires \_\_\_\_\_

Name of Governmental Affairs Agent \_\_\_\_\_

Name of Authority, Board, or Commission \_\_\_\_\_

Date When Term of Service Expires \_\_\_\_\_

Name of Governmental Affairs Agent \_\_\_\_\_

Name of Authority, Board, or Commission \_\_\_\_\_

Date When Term of Service Expires \_\_\_\_\_

Name of Governmental Affairs Agent \_\_\_\_\_

Name of Authority, Board, or Commission \_\_\_\_\_

Date When Term of Service Expires \_\_\_\_\_

2. Did all Governmental Affairs Agent(s) named in this Annual Report file all Notices of Representation and Quarterly Reports required during the calendar year covered by this Annual Report?

Yes If "yes," continue on to Schedule B.  No If "no," please file the necessary reports immediately.

**SCHEDULE B - SALARY & COMPENSATION**

**PURPOSE:** To report the salary and compensation paid to the Governmental Affairs Agents on whose behalf this report is filed. Include the reimbursement of an Agent's expenses in amounts reported.

**NOTE:** Only the pro rata share of each Governmental Affairs Agent's salary and compensation need to be included if the Agent spends only a portion of his/her time on lobbying activity.

NAME OF GOVERNMENTAL AFFAIRS AGENT	AMOUNT
Angelo J. Genova	\$ 12,095.00
Nicholas R. Amato	\$ 0.00
Rajiv D. Parikh	\$ 6,765.00
Avi D. Kelin	\$ 11,245.00
William F. Megna	\$ 0.00
<b>SCHEDULE B TOTAL \$</b>	<b>30,105.00</b>

**SCHEDULE C - SUPPORT PERSONNEL**

**PURPOSE:** To report the costs of support personnel who, over the course of the reporting year, individually spend 450 or more hours supporting the activities of the Governmental Affairs Agent(s).

After determining to which person(s) this applies, report the pro rata share of those costs which are attributable to supporting the activities of the Governmental Affairs Agent(s) in influencing legislation, regulations, governmental processes, or communicating with the general public.

<b>SCHEDULE C TOTAL \$</b>	<b>0.00</b>
----------------------------	-------------

**NO SCHEDULE D FOR GOVERNMENTAL AFFAIRS AGENTS**

## **SCHEDULE E - COMMUNICATION EXPENSES**

**PURPOSE:** To report the costs of the preparation and distribution of materials related to influencing legislation, regulations, governmental processes, and conducting communications with the general public.

<b>EXPENSE</b>	<b>AMOUNT</b>
Printed Materials	\$ 0.00
Postage	0.00
Film, Slides, Video, Audio	0.00
TV - Network	0.00
TV - Cable	0.00
Radio	0.00
Other Broadcast Medium	0.00
Internet	0.00
Telephone, Facsimile	0.00

**Pro Rata Overhead Costs of Specific Events Over \$100 (please identify name and date of event)**

Pre-Rata Overhead Costs of Specific Events Over \$100 (please identify name and date of event)	

Other (please describe):


**SCHEDULE E TOTAL \$ 0.00**

## SCHEDULE F - TRAVEL/LODGING

**PURPOSE:** To report the travel and lodging costs of the Governmental Affairs Agents on whose behalf this report is filed related to influencing legislation, regulations, governmental processes, or communicating with the general public.

**SCHEDULE F TOTAL \$**

**SCHEDULE G-1****ITEMIZATION OF BENEFITS WHICH EXCEEDED \$25 PER DAY OR \$200 PER CALENDAR YEAR TO STATE OFFICIALS AND THEIR IMMEDIATE FAMILY MEMBERS**

**PURPOSE:** To report detailed information concerning benefits passed to State officials covered by the Act, as well as the immediate family members of these officials. If the value of a benefit exceeded \$25 per day or \$200 per calendar year, report below.

(Select one description item for each entry from the drop down list. When selecting "O - Other", enter a description in the space provided.)

Name of Benefit Recipient \_\_\_\_\_

Date _____	Description _____	Amount \$ _____	0.00
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Name and Address of Payee/Vendor

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

If benefit was reimbursed, please report the date, the description, and the amount of the reimbursement.

Date \_\_\_\_\_ Amount \$ \_\_\_\_\_

Description \_\_\_\_\_

Name of Benefit Recipient \_\_\_\_\_

Date _____	Description _____	Amount \$ _____
------------	-------------------	-----------------

Name and Address of Payee/Vendor

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

If benefit was reimbursed, please report the date, the description, and the amount of the reimbursement.

Date \_\_\_\_\_ Amount \$ \_\_\_\_\_

Description \_\_\_\_\_

Name of Benefit Recipient \_\_\_\_\_

Date _____	Description _____	Amount \$ _____
------------	-------------------	-----------------

Name and Address of Payee/Vendor

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

If benefit was reimbursed, please report the date, the description, and the amount of the reimbursement.

Date \_\_\_\_\_ Amount \$ \_\_\_\_\_

Description \_\_\_\_\_

Name of Benefit Recipient \_\_\_\_\_

Date _____	Description _____	Amount \$ _____
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Name and Address of Payee/Vendor

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

If benefit was reimbursed, please report the date, the description, and the amount of the reimbursement.

Date \_\_\_\_\_ Amount \$ \_\_\_\_\_

Description \_\_\_\_\_

**SUMMARY OF BENEFIT PASSING**

**PURPOSE:** To report the total amount of providing benefits to State officials covered by the Act and their immediate family members.

	<b>SCHEDULE G-1</b>	<b>SCHEDULE G-2*</b>	<b>AMOUNT</b>
Entertainment	\$ _____	+ \$ _____ 0.00	= \$ _____ 0.00
Food and Beverage	_____	+ _____ 0.00	= _____ 0.00
Travel	_____	+ _____ 0.00	= _____ 0.00
Lodging	_____	+ _____ 0.00	= _____ 0.00
Honoraria	_____	+ _____ 0.00	= _____ 0.00
Loans	_____	+ _____ 0.00	= _____ 0.00
Gifts	_____	+ _____ 0.00	= _____ 0.00
Other (specify) _____	_____	+ _____ 0.00	= _____ 0.00
<b>Total</b>	\$ _____	+ \$ _____ 0.00	= \$ _____ 0.00
			<b>SCHEDULE G-1 AND SCHEDULE G-2 TOTAL</b>

\* Enter, by category, the value of benefit passing where the expenditure did NOT exceed the \$25/day or \$200/calender year thresholds.

**TOTAL AMOUNT OF REIMBURSED BENEFITS, IF ANY.  
DO NOT DEDUCT THIS AMOUNT FROM BENEFIT PASSING AMOUNTS.**

\$ \_\_\_\_\_

**SUMMARY OF LOBBYING EXPENDITURES****EXPENDITURES**

1. Salary and Compensation	Schedule B Total	\$ _____ 30,105.00
2. Support Personnel	Schedule C Total	\$ _____ 0.00
3. Communication Expenses	Schedule E Total	\$ _____ 0.00
4. Travel and Lodging	Schedule F Total	\$ _____ 0.00
5. Benefit Passing	Schedule G-1 and Schedule G-2 Total	\$ _____ 0.00
<b>Total Lobbying Expenditures</b>		\$ _____ 30,105.00

**SUMMARY OF TOTAL RECEIPTS FROM REPRESENTED ENTITIES** \$ \_\_\_\_\_ 30,105.00

**CERTIFICATION**

This certification shall be signed by either the Governmental Affairs Agent filing this Annual Report on his/her own behalf, or by the Managing or Principal Partner or Chief Executive Officer of the Governmental Affairs Agent Firm.

I, Angelo Genova

*(enter name)*

hereby certify that I am duly authorized by

Genova Burns LLC

*(enter name of firm)*

to file and certify the accuracy and correctness of this Annual Report of Lobbying Activity for calendar year 2023. I certify that the statements made herein are true and accurate. I am aware that if any of the foregoing statements are willfully false, I may be subject to punishment.

Registration Number \*\*\*\*\*

PIN \*\*\*\*\*

**Verify Registration  
Number & PIN**

ANGELO J GENOVA

Signature

February 14, 2024

Date

\* Your name must appear on the signature line \*

# **Exhibit O**

**GENOVA BURNS LLC**

Rajiv D. Parikh (032462005)

Kathleen Barnett Einhorn, Esq. (040161992)

494 Broad Street

Newark, New Jersey 07102

Telephone: (973) 533-0777

*Attorneys for Plaintiffs*

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.,*

Plaintiffs,

v.

PIPL, INC., RICHARD ROES 1-10, RICHARD  
ROES 1-10, *fictitious names of unknown*  
*individuals* and ABC COMPANIES 1-10,  
*fictitious names of unknown entities,*

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.,*

Plaintiffs,

v.

RED VIOLET, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities,*

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000481-24

**CIVIL ACTION**

**NOTICE OF MOTION  
TO CONSOLIDATE**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000482-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

DATA AXLE, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

PEOPLECONNECT, INC.,  
PEOPLECONNECT HOLDINGS, INC.,  
INTELIOUS, LLC, PEOPLECONNECT  
INTERMEDIATE, LLC, RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

BATCHSERVICE LLC, RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000483-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000484-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000485-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

JOY ROCKWELL ENTERPRISES, INC  
DBA POSTCARDMANIA PCM LLC,  
RICHARD ROES 1-10, *fictitious names of*  
*unknown individuals* and ABC COMPANIES 1-  
10, *fictitious names of unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

CHECKPEOPLE, LLC, RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

WILLIAM R. WETZEL, WENDY E.  
WETZEL, RICHARD ROES 1-10, *fictitious*  
*names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000486-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000506-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000507-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

BELLES CAMP COMMUNICATIONS  
INC., RICHARD ROES 1-10, *fictitious names of*  
*unknown individuals* and ABC COMPANIES 1-  
10, *fictitious names of unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

RESTORATION OF AMERICA, VOTER  
REFERENCE FOUNDATION LLC, RICHARD  
ROES 1-10, *fictitious names of unknown*  
*individuals* and ABC COMPANIES 1-10,  
*fictitious names of unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

WELLNUT.COM, RICHARD ROES 1-10,  
fictitious names of unknown individuals and ABC  
COMPANIES 1-10, fictitious names of unknown  
entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000508-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000510-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000512-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

PEOPLE DATA LABS, INC., RICHARD ROES  
1-10, *fictitious names of unknown individuals* and  
ABC COMPANIES 1-10, *fictitious names of*  
*unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
assignee of individuals who are Covered Persons,  
et al.,

Plaintiffs,

v.

SEARCH QUARRY, LLC, RICHARD ROES 1-  
10, fictitious names of unknown individuals and  
ABC COMPANIES 1-10, fictitious names of  
unknown entities,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

PETER KAWASAKI, RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000515-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000516-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000517-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

EPSILON DATA MANAGEMENT, LLC,  
CONVERSANT LLC, CITRUS AD  
INTERNATIONAL, INC., RICHARD ROES 1-  
10, *fictitious names of unknown individuals* and  
ABC COMPANIES 1-10, *fictitious names of*  
*unknown entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

COMPACT INFORMATION SYSTEMS,  
LLC, ACCUDATA INTEGRATED  
MARKETING, INC., ALUMNIFINDER,  
ASL MARKETING, INC., COLLEGE  
BOUND SELECTION SERVICE,  
DEEPSYNC LABS, HOMEDATA,  
STUDENT RESEARCH GROUP, RICHARD  
ROES 1-10, *fictitious names of unknown*  
*individuals* and ABC COMPANIES 1-10,  
*fictitious names of unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000533-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000534-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

EQUIMINE, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

NEIGHBOR.REPORT, RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

SPECIALISTS MARKETING SERVICES,  
INC., RICHARD ROES 1-10, *fictitious names of*  
*unknown individuals* and ABC COMPANIES 1-  
10, *fictitious names of unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000535-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000537-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000539-24

**CIVIL ACTION**

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

ACCUZIP, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

WILAND, INC., RICHARD ROES 1-10,  
*fictitious names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of unknown*  
*entities*,

Defendants.

ATLAS DATA PRIVACY CORPORATION, as  
*assignee of individuals who are Covered Persons,*  
*et al.*,

Plaintiffs,

v.

LTRAC LLC, BUILDOUT, INC., RICHARD  
ROES 1-10, *fictitious names of unknown*  
*individuals* and ABC COMPANIES 1-10,  
*fictitious names of unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000554-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000577-24

**CIVIL ACTION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH  
COUNTY  
DOCKET NO.: MON-L-000694-24

**CIVIL ACTION**

TO: All Defendants and Counsel of Record

**PLEASE TAKE NOTICE** that on March 28, 2024 at 9:00 a.m., or as soon thereafter as counsel may be heard, the undersigned, attorneys for Plaintiffs will move before the Superior Court of New Jersey, Monmouth County, 71 Monmouth Street, Freehold, New Jersey 07728 for an Order pursuant to R. 4:38-1(a) consolidating the aforementioned actions for discovery and case management purposes only.

**PLEASE TAKE FURTHER NOTICE** that, in support of this application, Plaintiffs will rely upon the attached Certification of Rajiv D. Parikh, Esq., as well as the attached supporting Memorandum of Law.

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is also submitted herewith pursuant to R. 1:6-2.

**PLEASE TAKE FURTHER NOTICE** that pursuant to R. 1:6-2(d), Plaintiffs request oral argument if timely opposition is filed by Defendants.

Respectfully submitted,

**GENOVA BURNS LLC**  
*Attorneys for Plaintiffs*

*s/Rajiv D. Parikh*  
RAJIV D. PARIKH

Dated: March 12, 2024

**GENOVA BURNS LLC**

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ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered  
Persons, et al.,*

Plaintiffs,

v.

PIPL, INC., RICHARD ROES 1-10, *fictitious  
names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of  
unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH COUNTY  
DOCKET NO.: MON-L-000481-24

**CIVIL ACTION**

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**MEMORANDUM OF LAW IN SUPPORT OF MOTION TO CONSOLIDATE**

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**Of Counsel and On the Brief**

Rajiv D. Parikh, Esq.

Kathleen Barnett Einhorn, Esq.

John J. Boulton, Esq.

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### **PRELIMINARY STATEMENT**

Plaintiffs seek the entry of an Order consolidating twenty-two (22) actions for discovery and case management purposes filed to enforce the rights of approximately 20,000 law enforcement officers under Daniel's Law, N.J.S.A. 56:8-166.1 which are currently pending in the Law Division in this County. Each of these actions brought by Plaintiffs involve a common nucleus of law and a significant overlap of operative facts. Each action alleges that the Defendants violated Daniel's Law by failing to timely cease disclosure of home address and/or unpublished home telephone number thereunder. Further, each of these actions seeks to protect the Plaintiffs' (or their assignees') rights under Daniel's Law, against companies brokering data and choosing profit and personal gain over a critical public interest and the unequivocal mandate of the law.

A cursory review of each of the filed complaints will demonstrate: (i) that there are common issues of fact regarding the various Plaintiffs and the method, timing and evidence related to their assertion of their or their assignees' rights under Daniel's Law, and Defendants' failure to comply with Daniel's Law's statutory mandates; (ii) the same cause of action seeking enforcement of the law is alleged against the defendants in each action; (iii) the claims and defenses associated with these actions will all necessarily rely on the same and/or similar discovery; and (iv) discovery of the claims and defenses associated with these actions will be better served by joint case management by the court. As such, these actions are ripe for consolidation for discovery and case management purposes.

Additionally, the pending actions will involve the adjudication of overlapping legal issues related to Daniel's Law. To avoid the needless and duplication of effort by the court and the parties and to avoid the risk of inconsistent legal determinations or judgments, we respectfully submit that

the Court should consolidate these matters before one Judge for case management.<sup>1</sup> Consolidation in this manner will ease the time, expense, efficiency and judicial resources associated with managing cases with similar issues in different tribunals. As such, and as set forth below, Plaintiffs' application to consolidate these twenty-two (22) actions should be granted.

### **STATEMENT OF FACTS AND PROCEDURAL HISTORY**

In early February 2024, Atlas Data Privacy Corporation ("Atlas") as the assignee of more than 20,000 individuals who are Covered Persons under Daniel's Law and other Individual Plaintiffs (who may vary from case to case) filed twenty-two (22) complaints in Monmouth County, against numerous defendant entities that violated Daniel's Law. Those defendants have disclosed or re-disclosed on the Internet or otherwise made available the home addresses and/or unpublished home telephone numbers of covered persons such as judges, prosecutors and law enforcement officers as defined under the law. In each and every complaint, Plaintiffs seek to compel compliance with the law to ensure protection of these covered persons, and to seek all other available injunctive relief and damages. The complaints filed in Monmouth County are identified in the certification of Rajiv D. Parikh. See Certification of Rajiv D. Parikh ("Parikh Cert.") at ¶4.

Each of the complaints allege that starting in or about December 2023, each of the Individual Plaintiffs and all of the Covered Persons (who thereafter assigned claims to Atlas) sent each of the Defendants written nondisclosure requests (via email) in accordance with Daniel's Law. The complaints allege that Defendants failed to cease the disclosure or re-disclosure of this information within ten business days as required by Daniel's Law. The complaints allege that as

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<sup>1</sup> Although these actions are not filed in the Complex Business Litigation Program ("CPLB") since the claims are based on a straightforward statutory violation, R. 4:102-3's methodology for case management is instructive and could serve as a positive model here.

of the date of the filing of the complaints, Defendants still refused to comply with Daniel's Law. Importantly, the complaints allege that protected information of the Individual Plaintiffs and those Covered Persons who assigned their claims to Atlas remains available from Defendants. The Individual Plaintiffs and Atlas asserted claims against all Defendants in these actions based on their violation of Daniel's Law and continuing refusal to comply with that law.

Thus, while the methodology of each Defendants' disclosure may be nuanced, the overall claims and defenses associated with each these actions will all necessarily rely on overlapping discovery. For instance, documents concerning the covered persons transmittal of their Daniel's Law requests, Atlas's assignments, documents concerning Defendants' response to any Daniel's Law Requests, and documents concerning the disclosure of any home address and/or unpublished home telephone numbers will be requested by all parties. Therefore, discovery associated with each of these actions will require the same case management by the Court. Thus, these actions should be consolidated for discovery and case management purposes.

## **LEGAL ARGUMENT**

### **I. STANDARD FOR CONSOLIDATION PURSUANT TO R. 4:38-1(A).**

Rule 4:38-1(a) governs consolidation and provides in pertinent part that: “[w]hen actions involving a common question of law and fact arising out of the same transaction or series of transactions are pending in the Superior Court, the court on a party's or its own motion may order the actions consolidated.” R. 4:38-1(a); see also Judson v. Peoples Bank & Trust Co. of Westfield, 17 N.J. Super. 143, 145 (Ch. Div. 1951) (“[s]o long as questions of law and fact are common to both causes, consolidation is proper.”).

The consolidation of cases has always been favored in the New Jersey court system. See Executors of Conover v Conover, et. al., 1 N.J. Eq. 403, 412 (Ch. 1831). The power to consolidate

actions pending in the same court is inherent within judicial authority. Mutual Securities Corp., v. G.T. Harris Group, 100 N.J. Eq. 365 (Ch. 1926). “The decision to consolidate actions lies within the discretion of the trial court.” Union City Improvement Auth. v. Artaki, LLC, 329 N.J. Super. 141, 149 (App. Div. 2007). New Jersey’s rule permitting consolidation reflects this state’s policy of judicial efficiency and “disposing of entire controversies, including all parties and issues, at one trial.” Schafer v. Strelecki, 107 N.J. Super. 7, 12 (App. Div. 1969); see also Holmes v. Russ, 113 N.J. Super. 445, 449 (Law. Div. 1971) (“[a] review of the history, operation and instruction of R. 4:38 (‘Consolidation: Separate trials’) reveals that the object of the rule is to foster the grand design to litigate entire controversies as a unit.”).

Consolidation helps the parties and the Court avoid “multiplicity of litigation, duplication of judicial labor, inconsistent judgments, delay and expense.” Holmes, 113 N.J. Super. at 449-50; see also Judson, 17 N.J. Super. at 144 (consolidation avoids having parties “undergo the inconvenience of double litigation”). Moreover, the consolidation of cases tends to advance trial calendar policies and to avoid reiterated attention by multiple judges to the same controversy. Masin v. National Box & Lumber Co., Inc., 17 N.J. Super. 380, 389 (Ch. 1952). Furthermore, consolidation, by revealing the essential quality and dimension of the controversy, allows assignment of a trial judge according to the needs of the case. Schnitzer and Wildstein, N.J. Rules Service, AIV-1499 (1954-67 ed.). The purpose of consolidating similar actions is to further the interests of judicial expediency and economy. Morrison v. National Vehicle Imports, LLC, 2005 WL 1399729 (N.J. Super. Law Div. 2005).

Here, application of these principles demonstrates that consolidation of all of the listed actions for discovery and case management purposes is appropriate as all matters involve a common nucleus of facts underlying an identical legal claim -- that Defendants violated Daniel’s

Law by timely failing to cease disclosure of the Individual Plaintiffs and Covered Persons home addresses and/or unpublished home telephone numbers. In addition to the common nucleus of facts, all of these litigations involve a common question of law and the Court's interpretation of the Daniel's Law statute, P.L. 2020, c. 125 *codified in N.J.S.A. 47:1A-1, et seq. and N.J.S.A 56:8-166.1*) and related judicial determinations. Therefore, these actions should be consolidated and assigned to one Judge for case management and pre-trial motion practice.

Further, if the twenty-two (22) actions are permitted to proceed along separate discovery and case management paths, Plaintiffs will be prejudiced throughout the discovery process and exposed to the possibility of conflicting decisions from different judges regarding the interpretation of the Daniel's Law statute if the court denies this motion for consolidation. In addition, R. 4:38-1 requires consolidation to avoid piecemeal litigation of interrelated issues, parties, and claims. Requiring duplication of discovery efforts in twenty-two (22) separate litigations undoubtedly will result in the waste of judicial resources, duplication of efforts, and a cost burden upon the parties.

Moreover, no party to any of the twenty-two (22) actions filed by Plaintiffs will suffer any prejudice by the consolidation of these actions as all Defendants have not yet even filed answers to the complaints or otherwise responded to the instant actions. Moreover, there have been no depositions in any of these matters and no Defendants have responded to Plaintiffs' initial discovery demands that were served with the complaints.

For all of these reasons, this Court should enter an order consolidating each of the twenty-two (22) cases into one for the purpose of case management under the supervision of one Superior Court Judge.

**CONCLUSION**

For the foregoing reasons, it is respectfully requested that the Court grant Plaintiff's motion to consolidate in its entirety.

Respectfully submitted,

**GENOVA BURNS LLC**  
*Attorneys for Plaintiffs*

*s/ Rajiv D. Parikh*

RAJIV D. PARIKH

Dated: March 12, 2024

17461446v1 (25221.001)

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ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered  
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Plaintiffs,

v.

PIPL, INC., RICHARD ROES 1-10, *fictitious  
names of unknown individuals* and ABC  
COMPANIES 1-10, *fictitious names of  
unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH COUNTY  
DOCKET NO.: MON-L-000481-24

**CIVIL ACTION**

**CERTIFICATION OF  
RAJIV D. PARIKH**

I, RAJIV D. PARIKH, of full age, hereby certify as follows:

1. I am an attorney at law of the State of New Jersey and associated with the law firm of Genova Burns LLC (“Genova Burns”), attorneys for the Plaintiffs in the matters referenced herein.
2. I have personal knowledge of the facts set forth herein and submit this certification in support of Plaintiffs’ Motion to Consolidate.
3. Between February 6, 2024 and February 24, 2024, Plaintiffs Atlas Data Privacy Corporation (“Atlas”) as the assignee of individuals who are Covered Persons under Daniel’s Law along with Jane Doe Plaintiffs and named Individual Plaintiffs, filed twenty-two (22) complaints in Monmouth County against numerous defendants alleging violations of Daniel’s Law.
4. The complaints filed in Monmouth County are as follows:

- (1) Atlas Data Privacy Corporation, et al. v. PIPL, Inc., et al.; MON-L-481-24;

- (2) Atlas Data Privacy Corporation, et al. v. Red Violet, Inc., et al.; MON-L-482-24;
- (3) Atlas Data Privacy Corporation, et al. v. Data Axle, Inc., et al.; MON-L-483-24;
- (4) Atlas Data Privacy Corporation, et al. v. Peopleconnect, Inc., et al.; MON-L-484-24;
- (5) Atlas Data Privacy Corporation, et al. v. Batchservice LLC, et al.; MON-L-485-24;
- (6) Atlas Data Privacy Corporation, et al. v. Joy Rockwell Enterprises, Inc, et al.; MON-L-486-24;
- (7) Atlas Data Privacy Corporation, et al. v. Checkpeople, LLC, et al.; MON-L-506-24;
- (8) Atlas Data Privacy Corporation, et al. v. William R. Wetzel, et al.; MON-L-507-24;
- (9) Atlas Data Privacy Corporation, et al. v. Belles Camp Communications Inc., et al.; MON-L-508-24;
- (10) Atlas Data Privacy Corporation, et al. v. Restoration of America, et al.; MON-L-510-24;
- (11) Atlas Data Privacy Corporation, et al. v. Wellnut.com, et al.; MON-L-512-24;
- (12) Atlas Data Privacy Corporation, et al. v. People Data Labs, Inc., et al.; MON-L-515-24;
- (13) Atlas Data Privacy Corporation, et al. v. Search Quarry, LLC, et al.; MON-L-516-24;
- (14) Atlas Data Privacy Corporation, et al. v. Peter Kawasaki, et al.; MON-L-517-24;
- (15) Atlas Data Privacy Corporation, et al. v. Epsilon Data Management, LLC, et al.; MON-L-533-24;
- (16) Atlas Data Privacy Corporation, et al. v. Compact Information Systems, LLC, et al.; MON-L-534-24;

- (17) Atlas Data Privacy Corporation, et al. v. Equimine, Inc., et al.; MON-L-535-24;
- (18) Atlas Data Privacy Corporation, et al. v. Neighbor.Report, et al.; MON-L-537-24;
- (19) Atlas Data Privacy Corporation, et al. v. Specialists Marketing Services, Inc., et al.; MON-L-539-24;
- (20) Atlas Data Privacy Corporation, et al. v. Accuzip, Inc., et al.; MON-L-554-24;
- (21) Atlas Data Privacy Corporation, et al. v. Wiland, Inc., et al.; MON-L-577-24;
- (22) Atlas Data Privacy Corporation, et al. v. Ltrac LLC, et al.; MON-L-694-24.

I certify that the above statements are true to the best of my knowledge and ability. I understand that if the above statements are willfully false, I am subject to punishment.

Respectfully submitted,

**GENOVA BURNS LLC**  
*Attorneys for Plaintiffs*

*s/ Rajiv D. Parikh*  
RAJIV D. PARIKH

Dated: March 12, 2024

17461444v1 (25221.001)

**GENOVA BURNS LLC**

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ATLAS DATA PRIVACY CORPORATION,  
*as assignee of individuals who are Covered Persons, et al.,*

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PIPL, INC., RICHARD ROES 1-10,  
RICHARD ROES 1-10, *fictitious names of unknown individuals* and ABC COMPANIES 1-10, *fictitious names of unknown entities*,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MONMOUTH COUNTY  
DOCKET NO.: MON-L-000481-24

**CIVIL ACTION**

**PROPOSED ORDER**

**THIS MATTER** having been open to the Court by Genova Burns LLC, attorneys for Plaintiffs, in the above captioned matters for an Order consolidating all Daniel's Law actions filed by Plaintiffs in the Superior Court of Monmouth County for discovery and case management purposes; and the Court having considered the moving papers, papers filed and any response, as well as any argument of counsel, and; for good cause having been shown;

**IT IS** on this \_\_\_\_ day of \_\_\_\_\_, 2024:

**ORDERED** that Plaintiffs' Motion to Consolidate is hereby **GRANTED**; and it is further

**ORDERED** that the Daniel's Law actions filed by Plaintiffs in Monmouth County are consolidated under Docket No.: MON-L-000481-24 for discovery and case management purposes only; and it is further

**ORDERED** that a copy of this order shall be served upon all Defendants and counsel of record within \_\_\_\_ (\_\_\_\_) days of its receipt of counsel for Plaintiffs.

This motion was:

Opposed

Unopposed

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J.S.C.

**17461448v1 (25221.001)**